

EXHIBIT F

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

Index #: 520434/2016

-----x

GALSTER FUNDING, LLC,

Plaintiff,

-against-

YEHUDA SALAMON, ETTY SALAMON, YIDEL'S
SHOPPING CART, INC. 4921 12TH AVENUE LLC,
YIDELS FRESH FOOD STATION, LLC, YIDELS
ONLINE FOOD STATION, LLC, THE SHOPPING
CART, INC., YIDEL'S GROCERY, INC. and
SIGNATURE BANK,

Defendants.

-----x

50 Court Street
Brooklyn, New York

July 2, 2018

10:00 a.m.

EXAMINATION BEFORE TRIAL of YEHUDA
SALAMON, a Defendant in the above-entitled
action, held at the above time and place,
taken before Shirley Nottes-Werner, a
Notary Public of the State of New York,
pursuant to Court Order and stipulations
between Counsel.

212-267-6868 * * *

Page 2	Page 4
1 2 APPEARANCES: 3 4 BUTLER FITZGERALD FIVESON & McCARTHY 5 Attorneys for Plaintiff 6 9 East 45th Street 7 New York, New York 10017 8 BY: DAVID FIVESON, ESQ. 9 File # 3696-06265 10 11 LEVINE & ASSOCIATES 12 Attorneys for Defendants 13 15 Barclay Road 14 Scarsdale, New York 10583 15 BY: MICHAEL LEVINE, ESQ. 16 17 * * * 18 19 20 21 22 23 24 25	1 2 an answer to a question, that's an 3 honest answer, say "I don't know." 4 Okay? 5 THE WITNESS: I'm asking what 6 you said now. 7 MR. FIVESON: If you don't know 8 an answer to a question, and that's an 9 honest answer, tell me you don't know. 10 Okay? 11 THE WITNESS: Yes. 12 MR. FIVESON: I don't want you 13 to guess or assume. Okay? 14 THE WITNESS: Yes. 15 MR. FIVESON: This lady can only 16 take down English, so if you know an 17 answer to a question, please 18 communicate it in English. Don't 19 answer with an uh-huh, a shrug of the 20 shoulders or a nod of the head. Okay? 21 THE WITNESS: Yes. 22 MR. FIVESON: If you need to 23 take a break, go to the men's room, 24 this is not a marathon, tell us you 25 need to take a break and we will take
Page 3	Page 5
1 2 YEHUDA SALAMON, the Witness 3 herein, having first been affirmed by the 4 Notary Public, was examined and testified 5 as follows: 6 MR. FIVESON: Good morning, Mr. 7 Salomon. My name is David Fiveson. I 8 represent the plaintiff, Galster 9 Funding, LLC. 10 Have you ever been deposed 11 before? 12 THE WITNESS: No. 13 MR. FIVESON: So there's certain 14 rules that if you follow, we'll get a 15 clean record and it will make sure 16 there are no errors and we can 17 expedite this. 18 The first rule is that if I ask 19 you a question and you don't 20 understand any portion of the 21 question, tell me you don't 22 understand, I will rephrase it. Okay? 23 THE WITNESS: Yes. 24 MR. FIVESON: I don't want you 25 to guess or assume. If you don't know	1 2 a break. 3 THE WITNESS: Yes. 4 EXAMINATION BY 5 MR. FIVESON: 6 Q. What is your name? 7 A. Yehuda Salomon. 8 Q. Where do you reside? 9 A. 1152 53rd Street, Brooklyn, New 10 York 11219. 11 Q. How long have you resided at 12 1152 53rd Street? 13 A. Long time. 14 Q. What's a long time? 15 A. Um, I don't remember exactly. 16 Q. I'm not asking exactly. Can you 17 tell me approximately how many years 18 you've lived there? 19 A. Twenty-five. 20 Q. Who do you reside there with 21 today? 22 A. My wife. 23 Q. What is your wife's name? 24 A. Etty. 25 Q. E T T Y?

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		Page 6	Page 8
1	Y. Salamon		
2	A. Yes.	1	Y. Salamon
3	Q. S A L A M O N?	2	A. To the best of my knowledge.
4	A. Yes.	3	Q. Do you hold an office for
5	Q. What is Etty's date of birth?	4	Yidel's Shopping Cart, Inc.; president,
6	A. Why? You want to send flowers?	5	vice president? Do you have an office?
7	MR. FIVESON: I ask the	6	A. What do you mean?
8	questions.	7	Q. Who runs this corporation
9	Q. What's her date of birth?	8	Yidel's Shopping Cart?
10	A. 4/7/71.	9	A. I own.
11	Q. What's your date of birth, sir?	10	Q. You do?
12	A. 1/16/ 72.	11	A. Yeah.
13	Q. Do you work today? Are you	12	Q. Is there anybody else that runs
14	employed?	13	it?
15	A. Yes.	14	A. Runs it, no.
16	Q. What do you do?	15	Q. When you say runs it, you make
17	A. Grocery.	16	the day-to-day decisions for Yidel's?
18	Q. When you say grocery, what do	17	A. Yes.
19	you mean? You own a grocery store?	18	Q. Are you the sole stockholder of
20	A. Yes.	19	Yidel's?
21	Q. Do you do business as Yidel's	20	A. I don't know. I have
22	Shopping Cart, Inc.?	21	professionals, my accountant, everything
23	A. Yes.	22	how it's structured.
24	Q. Is that the grocery store?	23	Q. Who is your accountant?
25	A. Yes.	24	A. Hirschfeld (phonetic).
		25	Q. Hirschfeld?
		Page 7	Page 9
1	Y. Salamon	1	Y. Salamon
2	Q. Does Yidel's Shopping Cart have	2	A. Yes.
3	a location where it does business as a	3	Q. How do you spell that?
4	grocery store?	4	A. I don't know.
5	A. Yes.	5	Q. Where is this accountant,
6	Q. Where?	6	Mr. Hirschfeld?
7	A. Brooklyn.	7	A. Williamsburg.
8	Q. Where in Brooklyn?	8	Q. What's his first name?
9	A. 12th Avenue.	9	A. I call him Mr. I don't know.
10	Q. What's the address?	10	Q. Does he do the tax returns for
11	A. 4921 12th Avenue.	11	Yidel's?
12	Q. That's in Brooklyn?	12	A. Yes.
13	A. Yes.	13	Q. Does he do the tax returns for
14	Q. What's the zip code on that?	14	the other entities that are named as the
15	A. 11219.	15	defendants in this action?
16	Q. Yidel's Shopping Cart, is that	16	MR. LEVINE: I think you need to
17	incorporated? I see it's Inc. in your	17	specify that, make sure that he knows
18	caption?	18	who the other defendants are.
19	MR. LEVINE: Well, it's your	19	MR. FIVESON: Thank you,
20	caption.	20	Counselor.
21	You can answer.	21	MR. LEVINE: You're welcome.
22	Q. Is it a corporation?	22	Q. You have 4921 12th Avenue,
23	A. I believe so.	23	Yidel's Fresh Food Station, Yidel's Online
24	Q. You believe it to be a New York	24	Food Station, The Shopping Cart, Inc., and
25	corporation?	25	Yidel's Grocery, Inc. Does he do the tax

3 (Pages 6 - 9)

1 Y. Salomon 2 returns for those entities or any one of 3 them? 4 A. Some, yes. 5 Q. Do you have any other 6 accountants other than Mr. Hirschfeld in 7 Williamsburg? 8 A. Not that I know of. 9 Q. Does Mr. Hirschfeld prepare the 10 tax returns for Yidel's Shopping Cart? 11 A. I believe so. 12 Q. Do you pay him with a check? 13 A. I believe so. 14 Q. Does he give you an invoice for 15 his services? 16 A. Probably. 17 MR. FIVESON: If I leave a line 18 in the transcript, can you tell me 19 what his address is in Williamsburg? 20 MR. LEVINE: We'll take it under 21 advisement. 22 (Insert) 23 Q. You don't know his address? 24 A. No. 25 Q. Have you ever been to his	Page 10	1 Y. Salomon 2 Q. What other professionals did you 3 use in connection with Yidel's Shopping 4 Cart? 5 MR. LEVINE: Objection to form. 6 A. Other than Mr. Hirschfeld? 7 MR. LEVINE: Objection to form. 8 You can answer. 9 A. I have a marketing group. 10 Q. Who are they? 11 A. PTX. 12 Q. How do you spell that? 13 A. PTX. 14 Q. Where are they located? 15 A. In Brooklyn. 16 Q. Where in Brooklyn? 17 A. 39th Street. 18 Q. What do they do? 19 A. They help me out with the 20 business. 21 Q. What do they do to help you out 22 with the business? 23 A. The problem is that I don't 24 remember exactly what, because I'm not 25 using them for a long time.	Page 12
1 Y. Salomon 2 office? 3 A. I was. 4 Q. Where was his office, on what 5 street? 6 A. I don't remember. 7 Q. When was the last time you were 8 at his office? 9 A. I think last year. 10 Q. What was the purpose of you 11 going to his office? 12 A. I don't remember. 13 Q. How long had you used 14 Mr. Hirschfeld as your accountant, how 15 many years? 16 A. A few. 17 Q. What's a few? 18 A. Less than ten. 19 Q. Now, you said you have other 20 professionals that you use in connection 21 with Yidel's Shopping Cart. I asked you 22 if it was a New York corporation and who 23 the shareholders were and you said, I have 24 an accountant and other professionals. 25 MR. LEVINE: Objection to form.	Page 11	1 Y. Salomon 2 Q. Any other professional groups 3 you used in connection with Yidel's 4 Shopping Cart? 5 A. Nothing that I remember. 6 Q. I can't hear you. 7 MR. LEVINE: He said he doesn't 8 remember. 9 A. I don't remember. 10 Q. Did you use an attorney to 11 organize Yidel's Shopping Cart? 12 A. Probably. 13 Q. Do you recall? 14 A. No. 15 Q. Do you know when Yidel's 16 Shopping Cart was incorporated? 17 A. No. 18 Q. What's your highest level of 19 education? 20 A. I don't understand. 21 Q. Well, did you go to school? 22 A. Yes. 23 Q. What school did you go to? 24 A. UTA. 25 Q. What's UTA?	Page 13

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	Page 14	Page 16	
1	Y. Salamon	1	Y. Salamon
2	A. What it means?	2	A. Eighteen.
3	Q. What does it mean?	3	Q. Did you have any formal
4	A. United Talmudic Academy.	4	education after Nitra?
5	Q. United Talmud Medical Academy?	5	A. No.
6	A. No, not medical.	6	Q. When did you start taking up
7	Q. United Talmud Academy, right?	7	employment?
8	A. Yes.	8	A. Then.
9	Q. You have to keep your --	9	Q. So right after Nitra you took up
10	MR. LEVINE: Why do we have to	10	employment at 18?
11	raise our voice?	11	A. Yes.
12	MR. FIVESON: Please keep your	12	Q. What was your first job?
13	voice up so she can hear you and so I	13	A. I helped -- I helped my father.
14	can hear you. Okay? That was another	14	Q. What did your father do?
15	one of the rules, so we can -- w.	15	A. He had, um, an electronic
16	THE WITNESS: I think I'm	16	business.
17	talking loud.	17	Q. What is your father's name?
18	MR. FIVESON: Off the record.	18	A. Moshe.
19	[Discussion held off the	19	Q. Moshe Salamon?
20	record.]	20	A. Yes.
21	Q. Where is United Talmud Academy?	21	Q. Is he alive today?
22	A. In Brooklyn.	22	A. Yes.
23	Q. Where in Brooklyn?	23	Q. What's his address?
24	A. 53rd Street.	24	A. Why do you need his address?
25	Q. And?	25	MR. LEVINE: Come on.
	Page 15	Page 17	
1	Y. Salamon	1	Y. Salamon
2	A. And 14th Avenue.	2	Objection. What's the purpose of
3	Q. And did you graduate from this	3	that?
4	institution?	4	MR. FIVESON: He may be a
5	A. What do you mean graduate?	5	witness. I want to know his address.
6	Q. Did you finish?	6	It's just discovery.
7	A. When you finish -- I mean, when	7	MR. LEVINE: No. Don't answer
8	you're 13 years old you go away.	8	that question.
9	Q. So you went to the United Talmud	9	Next question.
10	Academy until you were 13?	10	Leave a blank in the transcript
11	A. Yes.	11	and we'll take it under advisement.
12	Q. Did you go to any school after	12	(Insert) _____
13	13 you were 13?	13	MR. FIVESON: Just so we're
14	A. Yes.	14	clear, I'm going to keep the
15	Q. Where did you go?	15	deposition open for any questions you
16	A. Mount Kisco.	16	instruct him not to answer, excluding
17	Q. What's in Mount Kisco?	17	privilege, of course, Counsel, and I'm
18	A. Yeshiva.	18	going to move that he come back. So
19	Q. What Yeshiva did you go to?	19	that's up to you.
20	A. Nitra, N I T R A.	20	MR. LEVINE: Do whatever you
21	Q. How many years did you spend at	21	think is necessary.
22	Nitra?	22	MR. FIVESON: I will do whatever
23	A. Five.	23	I think is necessary. Thank you.
24	Q. When you finished Nitra, how old	24	MR. LEVINE: Why don't we stick
25	were you?	25	to relevant matters?

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	Page 18		Page 20
1	Y. Salomon	1	Y. Salomon
2	MR. FIVESON: Well, you're	2	A. 5424 16th.
3	deciding what's relevant. The issue	3	Q. And how long did you work with
4	is what is discoverable.	4	your grandfather?
5	THE WITNESS: If I have to come	5	A. A few years.
6	back --	6	Q. What's a few?
7	MR. LEVINE: No, no, no. Just	7	A. Less than five.
8	be quiet. Answer the next question.	8	Q. What was your next employment
9	Q. How long did you work in the	9	after with your grandfather?
10	electronic business with your father?	10	A. On 15th Avenue.
11	A. (No verbal response.)	11	Q. What did you do?
12	THE WITNESS: Can I --	12	A. Also grocery.
13	MR. LEVINE: Just answer.	13	Q. Did you do this on your own or
14	A. I don't remember.	14	were you with anybody else?
15	Q. Well, can you give me an	15	A. Someone else.
16	approximation how many years?	16	Q. Who did you work with?
17	A. Two years.	17	A. Abramowitz.
18	THE WITNESS: I want to talk.	18	Q. What's his first name?
19	MR. FIVESON: You want to speak	19	A. Um, Wolf.
20	to your lawyer?	20	Q. Wolf?
21	THE WITNESS: Yes.	21	A. Yes.
22	MR. LEVINE: Step outside for a	22	Q. How long did you work with
23	second.	23	Mr. Wolf Abramowitz?
24	(Short recess was taken.)	24	A. Also a few years.
25	Q. After you worked with your	25	Q. What's a few?
	Page 19		Page 21
1	Y. Salomon	1	Y. Salomon
2	father for two years, what was your next	2	A. Less than five.
3	employment?	3	Q. Were you a partner with
4	A. I worked with my grandfather.	4	Mr. Abramowitz or were you just an
5	Q. What is your grandfather's name?	5	employee?
6	A. Ely Salomon.	6	A. Employee.
7	Q. Can you spell that, please?	7	Q. And after you were with
8	A. E L Y, S A L A M O N.	8	Mr. Abramowitz, what did you do?
9	Q. Ely Salomon?	9	A. I went Yidel's.
10	A. Ely Salomon.	10	Q. Then you organized Yidel's --
11	Q. Is Ely Salomon alive?	11	A. Yes.
12	A. No.	12	Q. -- is that correct?
13	Q. What did you do with your	13	A. Yes.
14	grandfather Ely Salomon for employment?	14	Q. How long has Yidel's Shopping
15	A. He had a grocery and other stuff	15	Cart been in business?
16	that I helped him.	16	A. I don't know because I had a few
17	Q. Was he ever an owner of Yidel's	17	corporations, so I don't know.
18	Shopping Cart, Inc.?	18	Q. Well, has it always been
19	A. No.	19	operating at the address 4921 12th Avenue?
20	Q. What was the location when you	20	A. No.
21	worked for your grandfather Ely Salomon?	21	Q. What address did it operate at
22	A. 16th Avenue.	22	when you first started the business?
23	Q. Where on 16th Avenue?	23	A. 4913 12th Avenue.
24	A. 55th Street.	24	Q. And how long was it at that
25	Q. What was the address?	25	location?

1 Y. Salomon 2 A. A few years. 3 Q. What's a few? 4 A. About five. 5 Q. What was the next location it 6 did business out of? 7 A. 4921 12th. 8 Q. That's where it is today, 9 correct? 10 A. Yes. 11 Q. How long has it been doing 12 business at 4921 12th Avenue? 13 A. I don't remember. 14 Q. Does Yidel's have a lease for 15 that premises? 16 A. I remember so. 17 Q. I can't hear you, sir. 18 A. I remember so. 19 Q. You do? You have a lease? 20 MR. LEVINE: He said he 21 remembers so. 22 Q. Do you know who the landlord is 23 for that premises? 24 A. 4921 12th Avenue. 25 Q. Is 4921 12th Avenue an LLC or a	Page 22	1 Y. Salomon 2 MR. FIVESON: You can stand. 3 Q. I'm going to show you what's 4 been marked as Exhibit 1, which is an 5 accounting that was filed in this action. 6 MR. LEVINE: Let me see this, 7 please. 8 MR. FIVESON: (Handing.) 9 MR. LEVINE: This is marked as 10 1? 11 MR. FIVESON: It's marked as 1. 12 There's a signature page. I'm going 13 to ask him about it. 14 MR. LEVIN: Okay. 15 Q. Have you ever seen that document 16 before? 17 A. (Perusing.) 18 I saw so many documents, I don't 19 know. 20 Q. You don't recall? 21 A. I don't know which one I saw 22 and -- I don't know what's this. I 23 mean -- 24 MR. LEVINE: It's a yes or no 25 question.	Page 24
1 Y. Salomon 2 corporation? 3 A. I think it's LLC. 4 Q. Do you have any interest in that 5 entity? Do you own any interest in that 6 entity? 7 A. Yes. 8 Q. What is your interest? 9 A. It's mine. 10 Q. You own it? 11 A. Yes. 12 MR. FIVESON: Can we have this 13 marked as Exhibit 1 and 1A? 14 [The documents were hereby 15 marked as Plaintiff's Exhibits 1 and 16 1A for identification, as of this date.] 17 THE WITNESS: Can I take a 18 break? 19 MR. FIVESON: You want to take a 20 break? Go take a break. 21 (Short recess was taken.) 22 MR. FIVESON: Are you going to 23 stand? 24 THE WITNESS: A little bit.	Page 23	1 Y. Salomon 2 A. So what? I can't say yes or no. 3 Q. I want to show you what's been 4 marked as Exhibit 1A, which is a 5 certification page. Is that your 6 signature on that document? 7 (Handing.) 8 A. (Perusing.) 9 It looks like my signature. 10 Q. Now, if you look at the first 11 page, there are many defendants listed in 12 this caption. Do you see that? 13 (Indicating.) 14 A. (No verbal response.) 15 Q. Do you understand that these are 16 defendants I'm showing you? 17 (Indicating.) 18 A. (No verbal response.) 19 MR. LEVINE: You're asking him 20 if he sees the list of defendants? 21 MR. FIVESON: Yes. 22 Q. Do you see that? 23 A. I didn't read it yet. 24 MR. LEVINE: Okay. 25 A. (Perusing.)	Page 25

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1 Y. Salomon 2 Yes. 3 Q. And you see that Etty Salomon is 4 listed as a defendant? 5 A. Yes. 6 Q. And then after Yidel's Shopping 7 Cart as a defendant, there is 4921 12th 8 Avenue, LLC as a defendant. Do you see 9 that? 10 A. Yes. 11 Q. And that's the owner of the 12 premises that leases to Yidel's Shopping 13 Cart; is that correct? 14 A. Yes. 15 Q. And then the next defendant is 16 Yidel's Fresh Food Station, LLC. Do you 17 see that? 18 A. Yes. 19 Q. Do you have any affiliation with 20 that company? 21 A. Yes. 22 Q. What's Yidel's Fresh Food 23 Station, LLC? 24 A. One of the corporations. 25 Q. Where does it do business?	Page 26	1 Y. Salomon 2 Q. Are you the owner of Yidel's 3 Online Food Station? 4 A. I believe so. 5 Q. What does it do? 6 A. As I said, I don't know how the 7 accountant and the other professionals 8 they structure this. 9 Q. What about The Shopping Cart 10 Inc., do you see that as a defendant? 11 A. Same thing. 12 Q. And that does business at 4921 13 12th Avenue? 14 A. Yes. 15 Q. And you're the owner of that? 16 A. I believe so. 17 Q. And Yidel's Grocery, Inc., are 18 you the owner of that? 19 A. I believe so. 20 Q. That also does business at 4921 21 12th Avenue, correct? 22 A. Yes. 23 MR. FIVESON: Please mark these 24 documents as Plaintiff's Exhibit 2, 2A 25 and 2B for identification.	Page 28
1 Y. Salomon 2 A. At the 4921 12th. 3 Q. What is its purpose? What does 4 it do at 4921 12th to engage in business? 5 A. I don't know how it was made. 6 Q. So you don't know what Yidel's 7 Fresh Food Station does? 8 A. I don't know how to differ 9 what's what. 10 Q. You don't know how to 11 differentiate between the LLCs? 12 A. Right. 13 Q. Are you a member of Yidel's 14 Fresh Food Station, LLC? 15 A. Yes. 16 Q. Are you the owner? 17 A. I believe so. 18 Q. Is your wife an owner in Yidel's 19 Fresh Food Station, LLC. 20 A. She has nothing to do with any 21 of those corporations. 22 Q. What about Yidel's Online Food 23 Station, LLC, they're another defendant. 24 Do you see that? 25 A. Yes.	Page 27	1 Y. Salomon 2 [The documents were hereby 3 marked as Plaintiff's Exhibits 2, 2A 4 and 2B for identification, as of this 5 date.] 6 MR. FIVESON: I'm going to show 7 you what's been marked as Exhibit 2, 8 which appears to be a verified answer 9 that was filed in the Beis Chasidei, 10 C H A S I D E I, Gorlitz action on 11 January 6, 2017. I will hand it to 12 Counsel to look at. 13 (Handing.) 14 MR. LEVINE: (Perusing.) 15 (Handing.) 16 It's before the witness now. 17 Q. Have you ever seen that 18 document? 19 THE WITNESS: What did he say? 20 MR. LEVINE: He asked if you 21 ever saw that document. I said it's 22 in front of you. 23 A. How should I remember? 24 Q. I want to show you Exhibit 2A. 25 Is that your signature?	Page 29

<p>1 Y. Salomon 2 (Handing.) 3 A. (Perusing.) 4 Looks like my signature. 5 Q. I want to show you 2B. Is that 6 your wife's signature? 7 (Handing.) 8 A. (Perusing.) 9 I don't know. 10 Q. Are you familiar with 11 condominium units C1 and R1 at 4917 12th 12 Avenue? 13 A. I don't understand. 14 Q. Well, are you familiar with the 15 premises condominium units C1 and R1, 16 located at the 4917 12th Avenue 17 condominium? 18 MR. LEVINE: Objection to form. 19 You can answer. 20 A. I don't understand. 21 Q. What about that question don't 22 you understand? 23 A. I don't know what you mean. 24 Q. You don't know what a 25 condominium is?</p>	Page 30	<p>1 Y. Salomon 2 MR. LEVINE: The defendants in 3 this case or the defendants in the 4 Gorlitz case? 5 MR. FIVESON: The defendants in 6 my case. Thank you, Counsel. 7 Q. Defendants listed in Exhibit 1. 8 (Handing.) 9 A. (Perusing.) 10 It's a tough question to answer 11 because it was on and off, questions a few 12 kind of what -- how to structure and what 13 the purpose was for it. 14 Q. But did they loan money? That 15 was the question. 16 A. Yes, but the question was how 17 and for what purpose. 18 Q. I didn't ask how. Was the money 19 loaned by Beis Chasidei Gorlitz to any of 20 the defendants? 21 MR. LEVINE: You can answer that 22 yes. 23 A. Yes. 24 MR. FIVESON: We're going to 25 have this document marked collectively</p>	Page 32
<p>1 Y. Salomon 2 MR. LEVINE: Maybe he doesn't 3 don't know what the word familiar 4 means. 5 MR. FIVESON: All right. 6 Q. Do you or any of your companies 7 own units C1 and R1 at the 4917 12th 8 Avenue condominiums? 9 A. Own everything. 10 Q. I'm sorry? 11 A. Own everything. 12 Q. So you own those two units? 13 A. Yes. 14 Q. Who lives in those two units, if 15 anyone? 16 A. I don't remember. 17 Q. Which one of your entities owns 18 those units? 19 A. 4921 12th Avenue, LLC. 20 Q. Have you ever heard the entity 21 Beis, B E I S, Chasidei, C H A S I D E I, 22 Gorlitz, G O R L I T Z? 23 A. Yes. 24 Q. Did that entity ever loan monies 25 to any of the defendants?</p>	Page 31	<p>1 Y. Salomon 2 as one exhibit. It is an order to 3 show cause for an attachment. It has 4 multiple exhibits attached, and we're 5 going to identify those exhibits 6 individually, but let's mark the 7 entire document as one. 8 Also, I'm telling Counsel that 9 when I go back to my office, I'm going 10 to scan all this in. We're going to 11 e-mail you copies of everything with 12 the exhibit tabs and everything, so 13 you're going to have a full set to 14 yourself. 15 MR. LEVINE: I appreciate that. 16 It's more beneficial to have it at the 17 deposition, but -- 18 MR. FIVESON: I agree with you, 19 but I had a lot of documents to carry. 20 MR. LEVINE: And you had a lot 21 of time. 22 [The documents were hereby 23 marked as Plaintiff's Exhibits 3, 3A 24 and 3B for identification, as of this 25 date.]</p>	Page 33

<p>1 Y. Salamon 2 Q. What's been marked as 3A appears 3 to be a building loan mortgage by 4921 4 12th Avenue, LLC to Beis Chasidei Gorlitz, 5 dated May 4, 2006. And what's marked as 6 3B is a signature page to that mortgage. 7 I'd like you to take a look at 8 Exhibits 3A and 3B and I'm going to ask 9 you whether you signed 3B? 10 (Handing.) 11 MR. LEVIN: So we're looking at 12 3B first, right? 13 MR. FIVESON: You can look at 3B 14 or 3A. 3A is the cover page of the 15 mortgage. 3B is the signature page. 16 MR. LEVINE: And the question 17 is, is that your signature on 3B, 18 correct? 19 MR. FIVESON: Thank you. Yes. 20 MR. LEVINE: You can answer that 21 question. 22 A. (Perusing.) 23 It looks like. 24 Q. Do you recall the amount of that 25 building loan mortgage?</p>	Page 34	<p>1 Y. Salamon 2 (perusing.) 3 Q. Yes, it looks like Issac, I S A 4 A C, B, Yungreis, Y U N G R E I S, below 5 your signature? 6 MR. LEVIN: What was the 7 question? 8 MR. FIVESON: Did he sign that 9 in your presence? 10 (Indicating.) 11 A. I don't know. I don't remember. 12 Q. Do you recognize that signature 13 as that of Mr. Yungreis? 14 A. I don't remember. 15 Q. Who is Mr. Yungreis? 16 A. Gorlitz. 17 Q. What do you mean Gorlitz? Is he 18 the president of Gorlitz? 19 A. I believe so. 20 MR. FIVESON: Please mark this 21 as Plaintiff's Exhibit 3D for 22 identification. 23 [The document was hereby marked 24 as Plaintiff's Exhibit 3D for 25 identification, as of this date.]</p>	Page 36
<p>1 Y. Salamon 2 A. 1.3. 3 Q. Now, did 4921 12th Avenue borrow 4 monies from Galster Funding, LLC? 5 A. Yes. 6 Q. And did you go to the closing of 7 that mortgage? 8 MR. LEVINE: Objection to form. 9 You can answer. 10 A. Yes. 11 MR. FIVESON: Please mark this 12 as Plaintiff's Exhibit 3C. 13 [The document was hereby marked 14 as Plaintiff's Exhibit 3C for 15 identification, as of this date.] 16 Q. I'm going to show you Exhibit 17 3C, sir. Is that your signature on that 18 document? 19 (Handing.) 20 A. (Perusing.) 21 Looks like. 22 Q. Then below you is a Yungreis, am 23 I reading that correctly, below your 24 signature? 25 MR. LEVINE: Hold on a second</p>	Page 35	<p>1 Y. Salamon 2 Q. I want to show you what's been 3 marked as Plaintiff's Exhibit 3D, which 4 appears to be the signature page on a 5 February of 2010 forbearance agreement, 6 and I ask whether your signature appears 7 above the lines Yehuda Salamon? 8 (Indicating.) 9 A. (Perusing.) 10 I don't remember if -- 11 Q. Is that your signature? 12 A. It's similar. 13 Q. What about the one, Etty Salamon 14 individually, do you see that signature? 15 Is that your wife's signature? 16 A. It doesn't look like the one you 17 showed me before. 18 Q. But is it your wife's signature? 19 A. Similar. 20 Q. Then there is a signature above 21 the name Issac B. Yungreis. Is that 22 Mr. Yungreis's signature? 23 (Indicating.) 24 A. Doesn't look like the one on the 25 other.</p>	Page 37

<p>1 Y. Salomon 2 Q. But is that his signatures? 3 A. I don't know. 4 Q. Was that document signed in your 5 presence by Mr. Yungreis? 6 A. I don't remember. 7 MR. FIVESON: Please mark that 8 as Plaintiff's Exhibit 3E, which is a 9 cover page to the forbearance 10 agreement. 11 [The document was hereby marked 12 as Plaintiff's Exhibit 3E for 13 identification, as of this date.] 14 Q. Do you recognize the forbearance 15 agreement? 16 A. (Perusing.) 17 No. 18 Q. Just so you're clear, this is 19 with Gorlitz. You don't recognize that? 20 A. I don't remember it. 21 Q. And on the bottom right-hand 22 corner of Exhibit 3E there are initials. 23 Do any of those initials appear to be your 24 initials? 25 (Indicating.)</p>	Page 38	<p>1 Y. Salomon 2 Q. They are your initials, but does 3 it appear to be in your handwriting, those 4 initials? 5 A. I don't know. 6 Q. You don't know? 7 A. No. 8 MR. FIVESON: Please mark these 9 as Plaintiff's Exhibits 3F and 3G. 10 [The documents were hereby 11 marked as Plaintiff's Exhibits 3F and 12 3G for identification, as of this 13 date.] 14 Q. I'm going to show you what's 15 marked as Plaintiff's Exhibit 3F, and the 16 signature page thereof is 3G. My first 17 question is whether you recognize the 18 document, the mortgage marked as Exhibit 19 3F, which purports to be a mortgage 20 granted by 4921 12th Avenue to Galster 21 Funding, LLC, on August 30, 2016? 22 (Handing.) 23 A. (Perusing.) 24 I have to read this. 25 Q. Do you recognize the document?</p>	Page 40
<p>1 Y. Salomon 2 A. (Perusing.) 3 I don't think so. 4 Q. If you look from 3E, there's 5 page 2, behind it page 3, page 4, page 5, 6 page 6, page 7, and page 8 and ends in 7 Exhibit 3D, which is Exhibit 9. Can you 8 tell us whether your initials appear on 9 any of those pages in the lower right-hand 10 corner? 11 MR. LEVINE: Wait. You said 3D 12 is Exhibit 9? What does that mean? 13 MR. FIVESON: Page 9. 14 Q. Do your initials appear on page 15 2 behind Exhibit 3E? 16 (Indicating.) 17 A. (Perusing.) 18 Every page every initial looks 19 different way. 20 MR. LEVINE: Just answer his 21 question. Are those your -- 22 Q. Are those your initials on the 23 bottom right-hand corner? 24 A. My initials, but I don't know if 25 I signed it.</p>	Page 39	<p>1 Y. Salomon 2 MR. LEVINE: He asked you if you 3 recognize it. Read the whole thing 4 and see if you recognize it. 5 A. (Perusing.) 6 It's hard to read. It's not 7 clear. 8 MR. LEVINE: Do the best you 9 can. 10 A. It's not that I don't recognize 11 it, I can't read it. See, it's not clear. 12 (Indicating.) 13 Q. Are you reading the document? 14 A. Yes. It's very hard to read. 15 MR. LEVINE: Do you want to 16 withdraw the question? 17 MR. FIVESON: No. I want to 18 know if he recognizes the document. 19 If he feels he has to read every word, 20 then let him read every word. 21 A. (Perusing.) 22 MR. LEVINE: On the record, I 23 think you described 3F as the cover 24 page. 25 MR. FIVESON: Well, now he's</p>	Page 41

11 (Pages 38 - 41)

	Page 42	Page 44
1	Y. Salamon	Y. Salamon
2	reading the mortgage, right?	2 A. (Perusing.)
3	MR. LEVINE: My question is, did	3 Similar.
4	you intend it to mean the entire	4 MR. FIVESON: Please mark these
5	document?	5 as Plaintiff's Exhibits 3J and 3 K.
6	MR. FIVESON: Not yet. I	6 [The documents were hereby
7	described that page as that is the	7 marked as Plaintiff's Exhibits 3J and
8	cover page, and then I asked him if he	8 3K for identification, as of this
9	recognizes the mortgage.	9 date.]
10	MR. LEVINE: So you're asking	10 Q. Mr. Salomon, I'm going to show
11	him if he recognizes the entire	11 you Exhibit 3J, which appears to be a May
12	document?	12 4, 2006 consolidated and restated note for
13	MR. FIVESON: Yes.	13 a million, three, to Gorlitz; and 3K,
14	MR. LEVINE: Go ahead.	14 which appears to be the signature page. I
15	A. (Perusing.)	15 ask you, do you recognize 3J as the
16	I don't recognize it.	16 restated note?
17	Q. You don't?	17 MR. LEVINE: Objection to form.
18	A. (No verbal response.)	18 A. (Perusing.)
19	Q. I'm sorry?	19 Looks similar.
20	A. No.	20 Q. Do you recognize your signature
21	MR. FIVESON: I'm sorry. Can	21 on 3K?
22	you read the last two questions and	22 A. (Perusing.)
23	answers, please?	23 I don't recognize, but similar.
24	[The requested portion of the	24 Q. Now, how did it become aware
25	record was read.]	25 that Galster Funding had monies to loan
	Page 43	Page 45
1	Y. Salamon	Y. Salamon
2	Q. I'm showing you Exhibit 3G. Is	2 4921 12th Avenue?
3	that your signature on that document?	3 MR. LEVINE: Who do you mean by
4	(Handing.)	4 "it"?
5	A. (Perusing.)	5 MR. FIVESON: How did he or any
6	It looks like mine.	6 of his other 4921 12th Avenue first
7	MR. FIVESON: Please mark these	7 become aware that Galster had monies
8	Plaintiff's Exhibits 3H and 3I for	8 available to loan monies to them?
9	identification.	9 MR. LEVINE: Okay.
10	[The documents were hereby	10 A. Through a broker.
11	marked as Plaintiff's Exhibits 3H and	11 Q. Who was the broker?
12	3I for identification, as of this	12 A. It was more than one broker. It
13	date.]	13 was -- it went through a few. I don't
14	Q. Mr. Salomon, I'm going to show	14 know how the connection was.
15	you 3H, which appears to be the May 4,	15 Q. Tell me whatever brokers you
16	2006 note to Gorlitz for a million, two;	16 understood were involved in placing this
17	and 3I, which appears to be the signature	17 loan.
18	page. Do you recognize that 3H as the	18 A. I dealt with someone -- I don't
19	note?	19 remember his name.
20	(Handing.)	20 Q. Was it more than one broker?
21	MR. LEVINE: Objection to form.	21 A. No, I dealt with one.
22	You can answer the question.	22 Q. And you don't remember the name
23	A. No.	23 of the broker or the entity that you dealt
24	Q. Does your signature appear on	24 with?
25	3I?	25 A. Right.

12 (Pages 42 - 45)

<p>1 Y. Salomon 2 Q. Do you know the address of this 3 entity or broker? 4 A. No. 5 Q. Do you have any documents that 6 would identify this entity or broker? 7 A. I don't know. 8 Q. Had you used this entity or 9 broker prior to the August 30, 2016 loan 10 with Galster? 11 A. No. 12 Q. How were you introduced to this 13 broker? 14 A. I'm thinking who told me. Um, I 15 had constantly people calling me offering 16 me to take a mortgage. I mean, I'm trying 17 to think who told me. I don't remember. 18 Q. Had you ever used this broker 19 prior to the August 30, 2016 loan with 20 Galster Funding? 21 MR. LEVINE: Just give me one 22 second. I'm sorry. 23 MR. FIVESON: Sure. Let's take 24 a break. Hold that question. 25 (Short recess was taken.)</p>	<p>Page 46</p> <p>1 Y. Salomon 2 Q. Were you present? 3 A. Yes. 4 Q. Where did the Galster Funding, 5 LLC loan close on August 30, 2016? 6 A. Manhattan. 7 Q. Do you know the address? 8 A. No. 9 Q. Was 4921 12th Avenue represented 10 by counsel at that closing? 11 A. Yes. 12 Q. Who was its counsel? 13 A. Daniel Muller. 14 Q. What is Mr. Muller's address, do 15 you know? 16 A. No. 17 Q. Had you used Mr. Muller prior to 18 this closing for transactions on behalf of 19 yourself or any of your business entities? 20 A. No. 21 Q. How was it that you selected 22 Daniel Muller to represent 4921 12th 23 Avenue in this closing? 24 A. He was available that date. 25 Q. What firm is Mr. Muller with?</p> <p>Page 48</p> <p>1 Y. Salomon 2 A. I don't know. 3 Q. Did you pay Mr. Muller, meaning 4 you or 4921 12th Avenue or any of your 5 entities, pay Mr. Muller for his services 6 rendered on August 30, 2016? 7 A. Yes. 8 Q. Was that by check? 9 A. I don't remember. 10 Q. Did Mr. Muller ever give to you 11 copies of documents that were generated or 12 exchanged at that closing? 13 A. I don't remember. 14 Q. Did you search your files prior 15 to testifying today to deliver to your 16 counsel, Mr. Levine, all the closing 17 documents that you have in your possession 18 regarding the August 30, 2016 closing? 19 A. I gave him what he asked for. I 20 don't remember what I gave him. 21 Q. Whatever he asked for, you 22 searched your records and you gave him 23 what was responsive? 24 A. If I have, yes. 25 Q. You searched not only your</p>
<p>1 Y. Salomon 2 MR. FIVESON: Please mark these 3 as Plaintiff's Exhibit 4, 4A and 4B 4 for identification. 5 [The documents were hereby 6 marked as Plaintiff's Exhibits 4, 4A 7 and 4B for identification, as of this 8 date.] 9 MR. FIVESON: Please mark that 10 as Plaintiff's Exhibits 5 and 5A. 11 [The documents were hereby 12 marked as Plaintiff's Exhibits 5 and 13 5A for identification, as of this 14 date.] 15 A. If I don't remember who the 16 broker is, then how should I remember if I 17 used him? I don't. I'm trying to think 18 who it was. 19 Q. Was the broker present at the 20 closing? 21 MR. LEVINE: The closing of the 22 Galster loan? 23 MR. FIVESON: Correct. 24 Q. On August 30, 2016? 25 A. I don't think so.</p>	<p>Page 47</p> <p>1 Y. Salomon 2 A. I don't know. 3 Q. Did you pay Mr. Muller, meaning 4 you or 4921 12th Avenue or any of your 5 entities, pay Mr. Muller for his services 6 rendered on August 30, 2016? 7 A. Yes. 8 Q. Was that by check? 9 A. I don't remember. 10 Q. Did Mr. Muller ever give to you 11 copies of documents that were generated or 12 exchanged at that closing? 13 A. I don't remember. 14 Q. Did you search your files prior 15 to testifying today to deliver to your 16 counsel, Mr. Levine, all the closing 17 documents that you have in your possession 18 regarding the August 30, 2016 closing? 19 A. I gave him what he asked for. I 20 don't remember what I gave him. 21 Q. Whatever he asked for, you 22 searched your records and you gave him 23 what was responsive? 24 A. If I have, yes. 25 Q. You searched not only your</p>

13 (Pages 46 - 49)

1 Y. Salomon 2 personal records, but those of all the 3 defendants in this action including 4 Yidel's Shopping Cart, 4921 12th Avenue, 5 LLC, Yidel's Fresh Food Station, Yidel's 6 Online Food Station, LLC, The Shopping 7 Cart, Inc., and Yidel's Grocery, correct? 8 A. Yes. 9 Q. Now, I want to show you what I 10 marked in the break as Exhibit 4, which 11 appears to be a copy of the August 30, 12 2016 mortgage from 4921 12th Avenue, LLC, 13 to Galster Funding; and Exhibits 4A and 14 4B, which appear to be signature pages. 15 First I ask you, do you recognize the 16 document Exhibit 4, as that mortgage? 17 (Handing.) 18 A. (Perusing.) 19 MR. LEVINE: When you say 20 mortgage, you mean mortgage and 21 recording cover sheet, correct? 22 MR. FIVESON: Yes. 23 A. (Perusing.) 24 Recognize, you mean if I know 25 about it?	Page 50	1 Y. Salomon 2 A. I believe so. 3 Q. You signed 4A at the closing 4 before a notary, Ira Newman. Do you see 5 that? 6 (Indicating.) 7 A. Yes. 8 Q. Do you recall Mr. Newman? 9 A. No. 10 Q. Do you recall a notary being 11 present at that closing? 12 A. I don't remember. 13 Q. Now, let me go to Exhibit 5, 14 which appears to be the August 30, 2016 15 mortgage note for six-and-a-half million 16 dollars, from 4921 12th Avenue to Galster 17 Funding, that's Exhibits 5. And 5A is the 18 signature page. Do you recognize Exhibit 19 5 as the mortgage note granted to Galster 20 Funding? 21 (Handing.) 22 A. (Perusing.) 23 Looks like. 24 Q. And Exhibit 5A is your 25 signature?	Page 52
1 Y. Salomon 2 Q. Do you know what it is? Is that 3 the mortgage? 4 A. Looks like. 5 Q. That you gave to Galster 6 Funding? 7 MR. LEVINE: You can answer that 8 question. 9 THE WITNESS: You didn't tell me 10 it's going to take so long. 11 MR. LEVINE: Just answer the 12 question. 13 A. (Perusing.) 14 MR. LEVINE: The question is, is 15 that the mortgage to Galster? 16 A. Looks like. 17 Q. And does your signature appear 18 on pages 4A and 4B? 19 (Handing.) 20 A. (Perusing.) 21 MR. LEVINE: Wait. 22 Yes, go ahead. 23 A. Looks like. 24 Q. Did you sign this document at 25 the closing?	Page 51	1 Y. Salomon 2 A. Looks like. 3 Q. How long did the closing take at 4 the office in Manhattan on August 30, 5 2016? 6 A. I don't remember. 7 Q. Did you arrive at the closing 8 yourself or did you arrive with someone 9 else or anyone else? 10 A. Myself. 11 Q. Did you have any e-mail 12 communications with anyone regarding this 13 closing? I'm not asking for the content 14 yet. I just want to know if there were 15 any e-mail communications? 16 A. I don't think so. 17 Q. And when I say with anyone, I'm 18 including either your broker, the lawyer 19 for Galster Funding, anybody at Galster 20 Funding, any closing or title agent, were 21 there any such communications by e-mail 22 prior to this closing by you? 23 A. I don't remember. 24 Q. Did you search your files to 25 determine whether you're in possession of	Page 53

Page 54	Page 56
1 Y. Salamon	1 Y. Salamon
2 any such e-mail communications?	2 Q. Had you or anyone on your behalf
3 A. Anything that I had I provided	3 had communications with Gorlitz regarding
4 for my lawyer.	4 obtaining a satisfaction of its mortgage
5 Q. For your attorney?	5 that had been recorded against the two
6 A. Yeah.	6 premises?
7 Q. Now, at the time when you	7 A. Yes.
8 arrived at the closing on August 30, 2016,	8 Q. And you had these communications
9 were you aware that there was a prior	9 prior to the closing on August 30, 2016?
10 recorded mortgage granted to Gorlitz	10 A. Yes.
11 against the premises?	11 Q. Now, I'm not asking you what you
12 A. I don't understand the question.	12 spoke to your lawyer about, that was
13 Q. Well, this Exhibit 4, this	13 Mr. Muller, I think you said?
14 mortgage, grants a mortgage to Galster	14 A. Yes.
15 Funding against condominium units C1 and	15 Q. So I'm not asking you that. I
16 R1 at 4917 12th Avenue, correct?	16 want to know who you spoke with before you
17 A. Yes.	17 went to the closing other than your
18 Q. And you understood that,	18 attorney, Mr. Muller, about getting a
19 correct?	19 satisfaction of that Gorlitz mortgage?
20 A. Yes.	20 MR. LEVINE: Let me clarify one
21 Q. Before or prior to you going to	21 thing. When you say before you went
22 the closing on August 30, 2016, was there	22 to the closing, you mean at any point
23 a recorded mortgage against that property	23 in time?
24 previously granted to Gorlitz?	24 MR. FIVESON: Correct.
25 A. Yes.	25 MR. LEVINE: Not that day?
Page 55	Page 57
1 Y. Salamon	1 Y. Salamon
2 Q. And you knew that before you	2 MR. FIVESON: Correct. I will
3 went to the closing, correct?	3 discuss at that day a different line
4 A. Yes.	4 of questioning, correct.
5 Q. Did you also understand that as	5 MR. LEVINE: So you understand
6 a condition of Galster loaning you	6 it's at any time —
7 six-and-a-half million dollars, that prior	7 Q. I'm not asking what you spoke to
8 mortgage had to be either satisfied or	8 your lawyer about, okay?
9 paid off?	9 MR. LEVINE: He's asking at any
10 A. Yes.	10 time, did you have a conversation --
11 Q. You understood that, correct?	11 Q. Before you went to that closing?
12 A. Yes.	12 A. Yes.
13 Q. And you understood that 4921	13 Q. You?
14 12th Avenue was granting Galster a first	14 A. Yes.
15 mortgage on those two units?	15 Q. You spoke?
16 A. Yes.	16 A. Yes.
17 Q. Do you understand what a first	17 Q. Who did you speak with?
18 mortgage is?	18 A. Yungreis.
19 A. Yes.	19 Q. That's Mr. Yungreis at Gorlitz?
20 Q. What is your understanding of a	20 A. Yes.
21 first mortgage?	21 Q. Was this on the phone or was
22 A. There is no other.	22 this by e-mail? How did you communicate
23 Q. Prior mortgages recorded against	23 with him regarding getting a satisfaction
24 the unit, correct?	24 of the mortgage?
25 A. Yes, yes.	25 A. In person.

15 (Pages 54 - 57)

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		Page 58	Page 60
1	Y. Salamon		Y. Salamon
2	Q. You were face-to-face?		2 we need to take -- we have it on the
3	A. Face-to-face.		3 Gorlitz and make the satisfaction in order
4	Q. Just like I'm with you?		4 for us to continue with the mortgage. So
5	A. Yes.		5 I told Mr. Yungreis.
6	MR. FIVESON: Please mark this		6 Q. So you understood that the note
7	black and white photo as Plaintiff's		7 to Gorlitz and Yungreis had been paid off?
8	Exhibit 6.		8 A. Yes.
9	[The photograph was hereby		9 Q. That was your understanding?
10	marked as Plaintiff's Exhibit 6 for		10 A. Yes.
11	identification, as of this date.]		11 Q. And a few days before the
12	Q. Do you recognize who is depicted		12 closing with Galster, you learned from
13	in the photograph Exhibit 6?		13 your lawyer that the mortgage had not been
14	(Handing.)		14 taken off of record?
15	A. (Perusing.)		15 A. Right.
16	Yes.		16 Q. You understand that?
17	Q. Who is that?		17 A. Yes.
18	A. Yungreis.		18 Q. When I say "of record," you
19	Q. Mr. Yungreis is the person with		19 understand a mortgage gets recorded in the
20	the long beard?		20 City Registrar's Office?
21	A. Yes.		21 A. Yes.
22	Q. The older gentleman?		22 Q. You understand that?
23	A. Yes.		23 A. Yes.
24	Q. Who is the other person depicted		24 Q. You met with Mr. Yungreis a few
25	in the photograph?		25 days before the August 30, 2016 closing to
		Page 59	Page 61
1	Y. Salamon		Y. Salamon
2	A. Me.		2 get a satisfaction of the Gorlitz
3	Q. When was that photograph taken,		3 mortgage?
4	do you recall?		4 A. Right.
5	A. I know where it is, but when?		5 Q. You understand that? I'm not
6	MR. LEVINE: He asked you when		6 telling you. I'm asking you.
7	was it taken, if you know.		7 A. Yes.
8	A. Yes.		8 Q. You agree with that?
9	Q. When?		9 A. Yes.
10	A. He put on a mezuzah on the door.		10 Q. That's the truth?
11	(Indicating.)		11 A. Yes.
12	Q. But was it taken a month ago, a		12 Q. Where did you meet with
13	year ago, ten years ago?		13 Mr. Yungreis?
14	A. No, probably five to ten years		14 A. At his home.
15	ago.		15 Q. And where is his home?
16	Q. Now, when did this discussion		16 A. 42nd Street and 15th Avenue.
17	with yourself and Mr. Yungreis		17 Q. What time of day did you meet
18	face-to-face occur regarding obtaining a		18 with him?
19	satisfaction of the Gorlitz mortgage? How		19 A. I don't remember.
20	many days, months or years prior to the		20 Q. Did you call him and tell him
21	closing?		21 you're coming over or e-mail him to say,
22	A. A few days before I knew that it		22 look, I'm coming over? I'm giving a
23	was paid off and I don't have. It was		23 suggestion, I'm not telling you
24	taken care of. But my attorney, Muller,		24 word-for-word. But did you tell him that
25	told me that it's not taken care of. So		25 you were coming over to discuss this issue

16 (Pages 58 - 61)

1 Y. Salomon 2 with him? 3 A. I don't remember. He came into 4 the store sometimes. And sometimes he 5 called me. Sometimes -- I don't know. I 6 don't remember. I can't recall how it 7 started. 8 Q. Now, when you met with him at 9 his home, was anyone at the home that saw 10 you there on that occasion; maybe his 11 wife, his daughter, maybe a neighbor, 12 anybody? 13 A. I don't remember. 14 Q. You don't remember seeing any 15 people present in the home when you were 16 in the home? 17 A. I don't remember. I mean, it's 18 not that I didn't see. I don't know. 19 Q. Did you actually go into his 20 home to discuss this matter? 21 A. Yes. 22 Q. Do you recall where within his 23 home you discussed this matter; was it the 24 kitchen, the hallway, the bedroom, the 25 study?	Page 62	1 Y. Salomon 2 from the synagogue on the first floor? 3 A. Yes. 4 Q. And what's on the second floor? 5 A. His residence. 6 Q. Is there a third floor to this 7 building? 8 A. Yes. 9 Q. What's on the third floor? 10 A. Also his residence. 11 Q. Is there a separate entrance to 12 the third floor? 13 A. No. 14 Q. So there's just an entrance to 15 the first and the second floor; is that 16 correct? 17 A. Yes. 18 Q. He lives on the second and third 19 floors? 20 A. Yes. 21 Q. Do you belong to the synagogue 22 as part of your faith? 23 MR. LEVINE: When you say the 24 synagogue, you mean Gorlitz's 25 synagogue?	Page 64
1 Y. Salomon 2 A. Study room. 3 Q. Where was the study room 4 located? 5 A. All the way in the back on the 6 fifth floor. 7 Q. On the fifth floor? 8 A. No, the first floor -- 9 Q. The first floor? 10 A. The first floor is the 11 synagogue. The second floor is his first 12 floor. And then he has -- so in back of 13 his, it's the second floor, but it's in 14 his home. It's the first floor. 15 Q. Maybe I don't understand what 16 you're saying. Let's discuss the 17 structure that is present at 42nd and 15th 18 Avenue. It's a synagogue? 19 A. Synagogue is the first floor. 20 Q. The first floor? 21 A. First floor. 22 Q. Now, is there a second floor to 23 this building? 24 A. Yes. 25 Q. Does it have a separate entrance	Page 63	1 Y. Salomon 2 MR. FIVESON: Correct. 3 Q. What synagogue did you belong to 4 on August 30, 2016? 5 A. Multiple. 6 Q. Well, had you ever prayed in his 7 synagogue, Gorlitz's synagogue, prior to 8 this date? 9 A. Yes. 10 Q. Was this a synagogue you had 11 frequented on many occasions prior to 12 August 30, 2016? 13 A. No. 14 Q. Is this a synagogue that you 15 would call your synagogue? 16 A. No. 17 Q. In a conservative, we all have 18 our synagogues. This was not your 19 synagogue, correct? 20 A. Right. I prayed over there when 21 I worked at Mr. Abramowitz. He's a block 22 away, so -- his store is a block away. So 23 when I worked over there, I prayed over 24 there sometimes. 25 Q. But this was not your regular	Page 65

1 Y. Salomon 2 synagogue? 3 A. No. 4 Q. When you went on the day prior 5 to the closing on August 30, 2016 to 6 discuss with Mr. Yungreis getting a 7 satisfaction — 8 A. I don't know if it's the day 9 before. 10 MR. LEVINE: Objection to form. 11 Let him finish the question. 12 Q. No, no. I didn't mean the day 13 before. On the occasion, maybe one, two, 14 or three, or five days before, but on that 15 occasion before the closing on August 30, 16 2016, when you went to Mr. Yungreis, okay, 17 did you use the second floor entrance? 18 A. Yes. 19 Q. And did he have to buzz you up 20 or can you just walk upstairs unannounced? 21 A. Buzz. 22 Q. He buzzed you up? 23 A. Yes. 24 Q. Do you recall speaking to him 25 and saying, I'm here, or speaking to	Page 66	1 Y. Salomon 2 Q. Where was Mr. Yungreis on that 3 occasion when you first saw him; was he in 4 the study, was he there when you entered 5 the second floor, was it somewhere in 6 between? 7 A. I don't remember. 8 Q. Did you walk to his study alone 9 after you first gained entrance to the 10 second floor? 11 A. I don't remember. 12 Q. Do you remember seeing anybody 13 while you walked these approximate 30 feet 14 to the study? 15 A. I don't remember. 16 Q. Where was he when you first saw 17 him on the second floor? 18 A. I answered already. I don't 19 remember. 20 Q. And you walked to the study and 21 he was in the study? 22 A. Maybe we walked together. 23 Q. You don't remember? 24 A. I don't remember. 25 Q. How did you know to go back to	Page 68
1 Y. Salomon 2 someone to be given permission to enter? 3 A. He has cameras, so he probably 4 saw on the camera. I rang the bell and he 5 knew. 6 Q. And you went upstairs? 7 A. Yes. 8 Q. I'm sorry. You met with him in 9 his study? 10 A. Yes. 11 Q. And that's on the second or the 12 third floor? 13 A. On the second floor. 14 Q. Where is that located on the 15 second floor? 16 A. All the way in the back. 17 Q. Now, how far did you have to 18 walk within the second floor between the 19 immediate entrance onto that level and the 20 distance it took you to get to the study? 21 A. How many feet? 22 Q. Feet, however you can describe 23 it for me. 24 A. I'd say 30, 40 feet. Forty 25 feet, probably.	Page 67	1 Y. Salomon 2 his study? 3 A. If it -- he probably was there 4 and we went together. That was 5 probably -- or maybe his wife told me to 6 go there. I don't remember. 7 Q. You don't remember? 8 A. No. 9 Q. Correct? 10 A. Yes. 11 Q. When you were in the study, were 12 you and he the only persons in the study 13 on this occasion? 14 A. Yes. 15 Q. Was the door to the study 16 closed? 17 A. I don't know. 18 Q. What was discussed in the study? 19 A. That I needed a satisfaction. I 20 knew that it was taken care of and -- so 21 that was the discussion. 22 Q. What did he say, if anything? 23 A. That he is going to have it 24 taken care of. 25 Q. Did he state anything else?	Page 69

1 Y. Salomon 2 A. What do you mean anything else? 3 Q. Well, did you ask, how is it 4 going to be taken care of, I have a 5 closing in a few days, I need to get it 6 pretty soon? I'm just suggesting. Was 7 there any type of discussion on those type 8 of issues? 9 A. Yes. He said that he is going 10 to -- his lawyer is going to prepare me a 11 satisfaction. 12 MR. FIVESON: Would you read 13 that back, please? 14 [The requested portion of the 15 record was read.] 16 Q. And did he tell you who his 17 lawyer was? 18 A. No. 19 Q. Did you make any inquiry as to 20 who the lawyer was? 21 A. I don't remember. 22 Q. Did you make any inquiry into as 23 to how promptly they would prepare the 24 satisfaction? 25 A. He said right away.	Page 70	1 Y. Salomon 2 A. Bring it to me or send it to me. 3 He came into the store, so... 4 Q. But I want to know what was 5 discussed in the study. I'll get to what 6 the events were that happened afterwards. 7 I just want you to be clear. He told you 8 in the study he will prepare it and get it 9 to you? 10 A. Yes. 11 Q. Did he tell you he was going to 12 sign it first? 13 A. No, he didn't tell me. It 14 wasn't discussed. 15 Q. So he told you he is going to 16 get a satisfaction and get it to you to 17 sign? 18 A. He didn't tell me he is going to 19 get it to me to sign. 20 Q. What did he tell you? I just 21 want to be clear what he told you. 22 A. He is going to get me the 23 satisfaction, but I don't know if -- when 24 I was at his house if what he -- every 25 word that he told me. He told me that	Page 72
1 Y. Salomon 2 Q. Did you discuss how you 3 personally were going to get possession of 4 this satisfaction? 5 A. Yes. 6 Q. What was said? 7 A. I -- 8 MR. FIVESON: Think to yourself. 9 She takes it all down. 10 A. I'm trying to think what was 11 first and what was second. 12 Q. Take your time. 13 A. He gave me a satisfaction, that 14 I needed to go to sign it and notarize it 15 and send it back to him. He's going to 16 sign it, notarize it, and he's going to 17 overnight it to my lawyer -- to Muller. 18 Q. Did he give you the satisfaction 19 there in his study on that occasion? 20 A. No. 21 Q. Was it discussed who would 22 prepare the satisfaction and how he would 23 get it? 24 A. He's going to bring it to me. 25 Q. That's what he told you?	Page 71	1 Y. Salomon 2 he's going to get it taken care of. 3 Q. At the house? 4 A. He's going to have it taken care 5 of. 6 Q. I'm going to back up. I am not 7 asking you to remember every word that was 8 said because you can't do that, can you? 9 A. No. 10 Q. I can understand we're not 11 computers. What I want to know is the sum 12 and substance of what you understood he 13 told you at that meeting. 14 A. He told me it's going to be 15 taken care of, that I'm going to have it 16 for -- by the closing. 17 Q. Did you tell him when the 18 closing was going to occur? 19 A. Yes. 20 Q. In the study? 21 A. Yes. 22 Q. You told him that you had paid 23 this note off to Gorlitz? 24 A. Yes. 25 Q. Did he acknowledge that the note	Page 73

19 (Pages 70 - 73)

1 Y. Salomon 2 had been paid off? 3 A. Yes. 4 Q. In the study? 5 A. Yes. 6 Q. How long did this meeting occur 7 in the study between you and Mr. 8 Yungreis? 9 A. I don't remember. 10 Q. Five minutes, an hour? Your 11 best estimate, if you can. 12 A. I don't. 13 Q. You can't? 14 A. No. 15 Q. You can't estimate. So when you 16 left that study, you understood that 17 Mr. Yungreis was going to prepare a 18 satisfaction and get it delivered to you? 19 A. Yes. 20 Q. Was there any other 21 understanding you had about the 22 satisfaction other than that? 23 A. He is going to get it, that I 24 should have it for the closing. If he 25 said to me he is going to send it to me or	Page 74 1 Y. Salomon 2 at his home sometime before your closing 3 with Galster on August 30th, correct? 4 A. Yes. 5 Q. The sum and substance of what 6 you understood is that Mr. Yungreis was 7 going to prepare a satisfaction and get it 8 to you? 9 A. To me or to my lawyer. 10 Q. Right? 11 A. Yes. 12 Q. How did you exit that second 13 floor that day? 14 A. Same way. 15 Q. Did you see anybody within that 16 30 feet from the study to the exit? 17 A. I don't remember. 18 Q. Now, at some point in time, did 19 you get a satisfaction of the mortgage? 20 A. (No verbal response.) 21 Q. Did you get a satisfaction? 22 A. My lawyer got it, yes. 23 MR. FIVESON: Please mark these 24 Plaintiff's Exhibit 7, Plaintiff's 25 Exhibit 8, and Plaintiff's Exhibit 9	Page 76 1 Y. Salomon 2 for identification. 3 [The documents was hereby marked 4 as Plaintiff's Exhibits 7, 8, and 9 5 for identification, as of this date.] 6 Q. I'm going to show you what's 7 been marked as Plaintiff's Exhibit 7, 8 which appears to be a satisfaction of 9 mortgage. 10 (Handing.) 11 MR. LEVINE: (Perusing.) 12 (Handing.) 13 A. (Perusing.) 14 Q. Let's assume there's no 15 handwriting on it, but just a boilerplate, 16 is that the document you received from Mr. 17 Yungreis? 18 A. (Perusing.) 19 Looks like. 20 Q. Where were you when you first 21 received that document? 22 A. In my office. 23 Q. And where is that? 24 A. 4921 12th Avenue. 25 Q. How was it you received that
1 Y. Salomon 2 to my lawyer, I can't remember. He is 3 going to send it. I should have it for 4 the closing. 5 Q. You thought there was no more of 6 an issue? 7 A. Right. 8 Q. Either you or your lawyer were 9 going to have it, correct? 10 A. Yes. 11 Q. And he told you that he would 12 sign it? 13 A. That he's going to prepare it. 14 Q. Prepare it? 15 A. Prepare it. 16 Q. I think you also said that he 17 wanted you to sign it. Was there any 18 discussion about you signing the 19 satisfaction? 20 A. He didn't discuss it then, but 21 when he -- he gave it to me after his 22 lawyer prepared it to me, he told me that 23 I have to sign it. 24 Q. I'm going to get to that. Just 25 so we're clear, you met him in the study	Page 75 1 Y. Salomon 2 for identification. 3 [The documents was hereby marked 4 as Plaintiff's Exhibits 7, 8, and 9 5 for identification, as of this date.] 6 Q. I'm going to show you what's 7 been marked as Plaintiff's Exhibit 7, 8 which appears to be a satisfaction of 9 mortgage. 10 (Handing.) 11 MR. LEVINE: (Perusing.) 12 (Handing.) 13 A. (Perusing.) 14 Q. Let's assume there's no 15 handwriting on it, but just a boilerplate, 16 is that the document you received from Mr. 17 Yungreis? 18 A. (Perusing.) 19 Looks like. 20 Q. Where were you when you first 21 received that document? 22 A. In my office. 23 Q. And where is that? 24 A. 4921 12th Avenue. 25 Q. How was it you received that	Page 77 1 Y. Salomon 2 for identification. 3 [The documents was hereby marked 4 as Plaintiff's Exhibits 7, 8, and 9 5 for identification, as of this date.] 6 Q. I'm going to show you what's 7 been marked as Plaintiff's Exhibit 7, 8 which appears to be a satisfaction of 9 mortgage. 10 (Handing.) 11 MR. LEVINE: (Perusing.) 12 (Handing.) 13 A. (Perusing.) 14 Q. Let's assume there's no 15 handwriting on it, but just a boilerplate, 16 is that the document you received from Mr. 17 Yungreis? 18 A. (Perusing.) 19 Looks like. 20 Q. Where were you when you first 21 received that document? 22 A. In my office. 23 Q. And where is that? 24 A. 4921 12th Avenue. 25 Q. How was it you received that

20 (Pages 74 - 77)

<p>1 Y. Salomon 2 document; was it by mail, Federal Express, 3 courier pigeon, e-mail? How did you get 4 it? 5 A. You're talking – I'm just 6 clarifying. 7 Q. The boilerplate. 8 MR. LEVINE: Without the 9 signatures. 10 Q. With no signatures. Well, when 11 you first received the document, was there 12 any handwriting on the document? 13 A. I don't think so. 14 Q. So now when you first received 15 the document without any handwriting on 16 it, you said you were in your office, 17 correct? 18 A. Yes. 19 Q. How did you get that document in 20 your possession for the first time? 21 A. I believe that he brought it to 22 me. 23 Q. "He" is Mr. Yungreis? 24 A. Mr. Yungreis. It's either 25 Mr. Yungreis brought it to me or he sent</p>	Page 78	<p>1 Y. Salomon 2 that you have personally in that building? 3 A. It's not personal. In the 4 store. 5 Q. But is it like an office, a 6 separate room, separate from the grocery 7 store? 8 A. Yes. 9 Q. Can you tell us where is this 10 office of yours at 4921 12th Avenue 11 located when you first come into the 12 grocery store? 13 A. All the way in the back. 14 Q. In the back? 15 A. Yes. 16 Q. Now, he handed it to you in your 17 office all the way in the back? 18 A. Yes, I believe so. 19 Q. Do you have a door to your 20 office? 21 A. Yes. 22 Q. Did he knock on the door? 23 A. Probably rang the bell. 24 Q. Were you alone in your office 25 when he handed this document to you for</p>	Page 80
<p>1 Y. Salomon 2 it. Sometimes he sent someone from his -- 3 someone working for him. 4 Q. Well, I want to know, do you 5 recall who handed you this document for 6 the first time? 7 A. To the best of my knowledge, it 8 was him. 9 Q. Yungreis? 10 A. Yes. 11 Q. Do you recall how many days or 12 weeks or months prior to the closing did 13 he hand you this document for the first 14 time? 15 A. A day or two, I think. 16 Q. When you say you were at your 17 office at 49-12 12th Street -- 18 A. 4921. 19 Q. Excuse me. I stand corrected. 20 4921 12th Street -- 21 A. 12th Avenue. 22 Q. 12th Avenue, is that where the 23 grocery store is? 24 A. Yes. 25 Q. Do you have a particular office</p>	Page 79	<p>1 Y. Salomon 2 the first time? 3 A. Usually. 4 Q. Well, I'm talking about what you 5 recall on that day. 6 A. I don't remember, but usually if 7 I had anybody, I send them out. 8 Q. Of your office? 9 A. Yeah. 10 Q. Can you describe for me the 11 dimensions of the grocery store on 4921 12 12th Avenue in or about August of 2016, 13 how big was it? 14 A. It's about 4,000 square feet. 15 Q. How many entrances are there? 16 A. One in, one out. 17 Q. Separate from the exit, correct? 18 A. One is an entrance, and one is 19 an exit. 20 Q. Is there a cashier in the 21 vicinity of the exit? 22 A. Yes. 23 Q. How many people worked the 24 cashier? 25 A. At one time?</p>	Page 81

1 Y. Salamon 2 Q. Customarily, how many people do 3 you have working there? 4 A. Sometimes only one, sometimes 5 three. 6 Q. Are there any other employees 7 working in the grocery store other than 8 yourself? 9 A. Yes. 10 MR. LEVINE: Are you asking 11 about August of 2016? 12 MR. FIVESON: Yes. 13 Q. I'm talking customarily, when 14 you're open doing business, how many 15 employees did you have working at the 16 grocery store in August of 2016 when it 17 was open for business? 18 A. Twenty to 30. 19 Q. Now, did any of these employees, 20 to your knowledge, witness Mr. Yungreis 21 coming to your store on that occasion 22 where he handed you the satisfaction? 23 A. Probably, but not to remember. 24 I mean, I don't remember who came in 25 yesterday to the store. I mean --	Page 82	1 Y. Salamon 2 they run 24 hours a day? 3 A. Yes. 4 Q. Do you have a security service 5 that monitors these cameras? 6 A. No. 7 Q. Are the events that are depicted 8 by the security cameras downloaded to any 9 database, that you know of? 10 A. No. Remembers for quite a time, 11 but to download it -- what did you ask? 12 Sorry. 13 Q. You don't understand, I'll 14 rephrase it. My question is, does the 15 film of the security camera, the events 16 that it's recording, does it get 17 downloaded to a database so you can save 18 that for any period of time? 19 A. It's saved, yes. 20 Q. It saves in itself? 21 A. Itself. 22 Q. But you don't take that 23 information and download it to another 24 database? 25 A. I don't understand how to.	Page 84
1 Y. Salamon 2 Q. Now, after Gorlitz started its 3 lawsuit against you, did you attempt to 4 identify any of your employees who may 5 have witnessed Mr. Yungreis present in 6 your store on the day that he gave you 7 this document? 8 (Indicating.) 9 A. I don't think so. I mean, why 10 should I? 11 Q. Did you, to your knowledge, or 12 anyone on your behalf, obtain any written 13 statements from any of your employees that 14 were working on this day that Mr. Yungreis 15 gave you the document to document he, in 16 fact, was in your office? 17 A. I don't think so. 18 Q. Now, do you have any security 19 cameras in your grocery store? 20 A. Yes. 21 Q. Are the security cameras 22 focussed on people that enter the 23 premises? 24 A. Yes. 25 Q. And these security cameras, do	Page 83	1 Y. Salamon 2 Q. Then you don't, right? 3 A. Right. 4 Q. How long does the camera save 5 the filming that it records? 6 MR. LEVINE: By filming, you're 7 including digital recording, correct? 8 MR. FIVESON: Right. 9 A. About 30 days. 10 Q. Thirty days? 11 A. Yes. 12 Q. What happens after the 30 days? 13 A. It goes over the same thing. 14 Q. So it deletes it? 15 A. Right. 16 Q. Did you ever attempt to review 17 the recordings, the information that was 18 being either recorded or filmed by the 19 camera to document Mr. Yungreis being 20 present in your store on the day he 21 hand-delivered this to you? 22 A. It was too late. It was over 30 23 days from when. 24 Q. Did you attempt to do that? 25 A. Yes.	Page 85

	Page 86	Page 88
1 Y. Salamon		1 Y. Salamon
2 Q. And you determined it was too		2 Salomon and for Beis Chasidei Gorlitz were
3 late?		3 on the document?
4 A. I mean, yeah.		4 A. Yes.
5 Q. Now, when Mr. Yungreis handed		5 Q. And there was also the jurat at
6 you Exhibit 7, was there any		6 the bottom of the page?
7 handwritten --		7 A. Yes.
8 A. No.		8 Q. But it was not filled in?
9 Q. -- handwriting on the document?		9 A. No.
10 A. No.		10 Q. Now, what did this person who
11 MR. LEVINE: Just let him finish		11 delivered the document to you state, if
12 the entire question.		12 anything, to you?
13 THE WITNESS: Yes.		13 A. I should go sign it, notarize
14 Q. Just so we're clear, when he		14 it, send it back to him. And he is going
15 hand-delivered this document to you, did		15 to sign, notarize, and send it to my
16 it have a signature line for Yehuda		16 lawyer.
17 Salomon and a signature line for Beis		17 (Indicating.)
18 Chasidei Gorlitz?		18 Q. Did you sign the document,
19 A. Yes.		19 Exhibit 7?
20 Q. It did?		20 A. Yes.
21 A. Yes.		21 Q. Is that your signature under
22 Q. It had the block? Do you see		22 Yehuda Salomon and above title handwritten
23 the block?		23 Yehuda Salomon?
24 A. Yes.		24 A. Yes.
25 Q. You understand?		25 Q. Did you sign this before Schnier,
	Page 87	Page 89
1 Y. Salamon		1 Y. Salamon
2 A. Yes.		2 S C H N E R, Grossberger?
3 Q. But it did not have any of the		3 A. Yes.
4 handwriting that we see on it, correct?		4 Q. Where were you when you signed
5 A. Right.		5 this before this notary?
6 Q. Now, when hand-delivered this		6 A. Metropolitan Bank.
7 document to you --		7 Q. And where is that?
8 A. He or his -- I'm not sure if it		8 A. 13th Avenue, 51.
9 was he or his helper.		9 MR. FIVESON: I'm sorry. What
10 Q. Well, can you describe the		10 was the address he gave us?
11 person?		11 [The requested portion of the
12 A. He had one guy that helped him		12 record was read.]
13 like -- how do you say?		13 Q. What's 51?
14 MR. LEVINE: Assistant?		14 A. 51 Street.
15 A. Assistant.		15 Q. Now, how soon after you got
16 Q. Well, you don't know if it was		16 possession of the document for the first
17 Mr. Yungreis or the helper?		17 time did you go to the Metropolitan Bank
18 A. To the best of my knowledge, it		18 to have your signature acknowledged?
19 was Yungreis, but 99 percent.		19 A. That day.
20 Q. But when this person delivered		20 Q. So if you look at the jurat on
21 it to you, there was no handwriting on the		21 this document, it appears to be signed
22 document, correct?		22 August 25, 2016. Do you see that?
23 A. Yes.		23 (Indicating.)
24 Q. When this person delivered it to		24 A. Yes.
25 you, the signature blocks for Yehuda		25 Q. That number 25, is that your

23 (Pages 86 - 89)

Page 90	Page 92
<p>1 Y. Salamon 2 handwriting? 3 A. No. 4 Q. Did you sign it on the 25th? 5 A. I believe so. 6 Q. Do you have an account at 7 Metropolitan Bank? 8 A. Yes. 9 Q. Had you ever had documents 10 notarized at that bank by Schn 11 Grossberger? 12 A. Yes. 13 Q. How frequently were you present 14 at that bank prior to August 25, 2016? 15 A. I was every day. 16 Q. You were a regular customer 17 there? 18 A. Huh. 19 Q. Is that a yes? 20 A. Yes. 21 Q. They knew you? 22 A. Yes. 23 Q. Did they ask you for photo 24 identification when you took this there? 25 A. Yes.</p>	<p>1 Y. Salamon 2 back to you? 3 A. Yes. 4 Q. Did he sign it in your presence? 5 A. Probably. 6 Q. If you don't remember, tell me. 7 A. I don't remember, but it makes 8 sense. I mean – 9 Q. I want to know what you 10 remember. We're getting into some 11 operative facts here, so if you don't 12 know, tell me you don't know. 13 A. Okay. 14 Q. When you got the document back 15 in your possession after you signed it, 16 did it have this number 25 on it? 17 A. I don't know. 18 Q. Did it have Yehuda Salomon or 19 Isaac Yungreis written on it in the jurat? 20 A. To the best of my knowledge, 21 I – it had Yehuda Salomon. That's it. 22 Q. Now, when you went to have 23 Exhibit 7 acknowledged before Mr. 24 Grossberger, did you have any other 25 documents with you to have him</p>
<p>1 Y. Salamon 2 Q. They did? 3 A. Yes. 4 Q. Did you give it to them? 5 A. Yes. 6 Q. Did they photocopy it, to your 7 knowledge? 8 A. (No verbal response.) 9 Q. You don't know? 10 A. I don't know. 11 Q. Now, if you look at the jurat, 12 you see that there's some handwriting that 13 says Yehuda Salomon and a blank that says 14 Issac Yungreis. Do you see that? 15 A. Yes. 16 Q. Any of those handwritings in 17 your handwriting? 18 A. No. 19 Q. Who wrote that, do you know? 20 A. No. 21 Q. When Schn Grossberger 22 acknowledged your signature, did she hand 23 the document back to you? 24 A. It was a he. 25 Q. He. I'm sorry. Did he hand it</p>	<p>1 Y. Salamon 2 acknowledge? 3 A. No. 4 Q. I want to show you what's been 5 marked as Exhibit 8. I ask you if you 6 recognize that document? 7 (Handing.) 8 A. (Perusing.) 9 This is the same thing like 10 this. 11 (Indicating.) 12 Q. They're different. 13 A. One is for the 1.2 and one is 14 for the 1.3. No? Is it the same? What 15 is this? 16 Q. They're different documents. 17 (Indicating.) 18 A. I don't remember. It was maybe 19 he gave me two pages. I believe it was 20 two pages. 21 MR. LEVINE: One second, please. 22 MR. FIVESON: Go ahead, 23 Counselor. Take your time. 24 MR. LEVINE: (Perusing.) 25 Okay.</p>

24 (Pages 90 - 93)

Page 94	Page 96
1 Y. Salamon	1 Y. Salamon
2 Q. Take your time and look at the	2 signed Exhibit 7?
3 documents.	3 A. I was only there once then, so
4 A. (Perusing.)	4 if it's signed, then it was probably done
5 When was the closing?	5 at the same time.
6 Q. August 30, 2016. August 30,	6 Q. Going back to Exhibit 7, do you
7 2016.	7 see that the date of the satisfaction is
8 MR. LEVINE: What is the pending	8 dated the 30th day of August?
9 question?	9 A. Yes.
10 [The requested portion of the	10 Q. Is that number 30 in your
11 record was read.]	11 handwriting?
12 Q. First of all, let's go to	12 A. No.
13 Exhibit 8. Does your signature appear on	13 Q. You signed it on the 25th,
14 Exhibit 8?	14 correct?
15 MR. LEVINE: This one here.	15 A. I don't know. I don't remember
16 (Indicating.)	16 when.
17 Q. We previously were discussing	17 Q. When you got the document, there
18 Exhibit 7. Now I'm discussing Exhibit 8.	18 was the Yehuda Salamon and the Beis
19 Okay?	19 Chasidei Gorlitz signature blocks,
20 A. Okay.	20 correct?
21 Q. Does your signature appear on	21 A. Right.
22 this document?	22 Q. But they were not signed,
23 A. Yes.	23 correct?
24 Q. When you first got possession of	24 A. Right.
25 Exhibit 8, was there any handwriting on	25 Q. And you signed Exhibit 8 before
Page 95	Page 97
1 Y. Salamon	1 Y. Salamon
2 it?	2 Schner Grossberger on the 25th, correct?
3 A. No.	3 A. I don't remember when, but I
4 Q. Where were you when you first	4 signed it by him.
5 got possession of that document?	5 Q. When you signed it before
6 A. I didn't even remember it was	6 Mr. Grossberger signed it, there was no
7 two. Now I remember. Now I remember it	7 handwriting within the jurat on Exhibit 8,
8 was two, but --	8 correct?
9 Q. So you got two, two	9 A. To the best -- I believe so.
10 satisfactions?	10 Q. Is your handwriting anywhere on
11 A. It's very hard to remember now	11 the jurat? There's a Y. Salomon/I.
12 what I had, whatever he gave me I went to	12 Yungreis.
13 the bank and I had it signed and	13 A. They mine.
14 notarized. I mean --	14 Q. Your handwriting is below the
15 Q. So you went to the bank at the	15 Yehuda Salamon signature block, correct?
16 same time and had 7 and 8 notarized,	16 A. Yes.
17 correct?	17 Q. And the name Yehuda Salamon
18 A. Yes.	18 across from title?
19 Q. Did you make any inquiry of the	19 A. What?
20 person that delivered these documents to	20 Q. The word title.
21 you why you were getting two documents?	21 A. Yes.
22 A. No. Up until this minute, I	22 Q. Right?
23 didn't know it was two.	23 A. Yes.
24 Q. Did you sign Exhibit 8 before	24 Q. Your handwriting doesn't appear
25 Schner Grossberger at the same time you	25 anywhere in the jurat; is that correct?

25 (Pages 94 - 97)

<p>1 Y. Salomon 2 A. Right. 3 Q. And we're discussing Exhibit 8, 4 so we're all clear? 5 A. Yes. 6 Q. Did you see Mr. Grossberger put 7 the number 25 in the jurat on Exhibit 8? 8 A. I don't remember. 9 Q. Did you see Mr. Grossberger 10 write Y. Salomon or I. Yungreis within the 11 jurat on Exhibit 8? 12 A. I don't remember. 13 Q. Getting back to Exhibit 7, did 14 you see Mr. Grossberger write the 25 in 15 the jurat? 16 A. I don't remember. 17 Q. Did you see Mr. Grossberger 18 write the name Yehuda Salomon or Isaac 19 Yungreis within the jurat on Exhibit 7? 20 A. I don't remember, but I know 21 what I think. 22 Q. Only what you saw. Only what 23 you swear to. If you don't remember, 24 that's the answer, right? 25 A. Yes. That's the truth.</p>	Page 98	<p>1 Y. Salomon 2 A. Yes. 3 Q. Did you sign that? 4 A. No. 5 Q. Did you see anybody sign or 6 write those words on that document? 7 A. No. 8 Q. Exhibit 9 now. The second page 9 of Exhibit 9 has a Beis Chasidei Gorlitz 10 signature block with a signature and the 11 name Isaac B. Yungreis. Do you see that? 12 A. Yes. 13 Q. Did you write that? 14 A. No. 15 Q. Did you see anybody write any of 16 those handwritings on it? 17 A. No. 18 Q. Had you ever seen this document 19 before, Exhibit 9? 20 A. No. 21 Q. Never? 22 A. Nothing that I remember. 23 Q. Now, getting back to Exhibits 7 24 and 8, after you signed these documents, 25 before the notary, what did you do with</p>	Page 100
<p>1 Y. Salomon 2 Q. If that's the truth, that's what 3 I want. Now, let me just go to Exhibit 9. 4 Have you ever seen that, that lost note 5 affidavit? Have you ever seen that? 6 MR. LEVINE: Let me see that, 7 please? 8 MR. FIVESON: (Handing.) 9 MR. LEVINE: Okay. 10 Have you ever seen that? 11 THE WITNESS: No. 12 Q. Let me just jump back to 13 Exhibits 7 and 8. In Exhibit 7 under Beis 14 Chasidei Gorlitz, there's a name Isaac B. 15 Yungreis and a signature. You see that? 16 A. Yes. 17 Q. Did you sign that? 18 A. No. 19 Q. Did you see anybody write that 20 on this document? 21 A. No. 22 Q. Exhibit 8, same thing, on the 23 Beis Chasidei Gorlitz, there's a signature 24 and the name Issac B. Yungreis. Do you 25 see that?</p>	Page 99	<p>1 Y. Salomon 2 the document? 3 A. I sent it to Yungreis. 4 Q. How did you send it to Yungreis? 5 A. One of my workers. 6 Q. Which worker? 7 A. I don't remember. I have it. I 8 don't remember which one. 9 Q. Can you describe the worker? 10 A. What do you mean? 11 Q. What does this person look like? 12 A. It was one of my delivery guys. 13 Q. Was there a cover letter that 14 went with the document? 15 A. No, I put in it an envelope. We 16 frequently sent like that, stuff. 17 Q. You had sent Yungreis a signed 18 satisfaction in this manner on prior 19 occasions? 20 A. I don't remember. I mean, I 21 sent him stuff. I don't know what it was. 22 I can't remember. 23 Q. What stuff had you previously 24 sent him by one of your delivery workers? 25 A. Sometimes groceries, sometimes</p>	Page 101

26 (Pages 98 - 101)

<p>1 Y. Salomon 2 cash, sometimes papers. 3 Q. How much cash had you sent 4 Yungreis by delivery worker prior to 5 August 25, 2016? 6 A. I don't remember. 7 Q. Can you give us an estimate? 8 A. I don't know. 9 Q. Now, did you give the delivery 10 worker any instructions after you gave him 11 Exhibits 7 and 8? 12 A. Instructions? 13 Q. Yes. 14 A. To take it to the rabbi. That's 15 it. 16 Q. Is the delivery worker a 17 Hasidic? 18 A. No. 19 Q. How would he know where the 20 rabbi is? 21 A. I gave him the address. 22 Q. You gave him the address? 23 A. Yeah. 24 Q. Now, after this lawsuit with 25 Gorlitz was commenced, did you ever go and</p>	Page 102	<p>1 Y. Salomon 2 payroll? 3 THE WITNESS: I want to ask you. 4 MR. LEVINE: You want to ask me 5 something? 6 THE WITNESS: Yes. 7 MR. LEVINE: Does it have to do 8 with privilege? 9 THE WITNESS: What is that? 10 MR. LEVINE: Are you concerned 11 about the answer to the question? 12 THE WITNESS: Yes. 13 MR. FIVESON: Go ahead. 14 MR. LEVINE: Come outside. 15 (Short recess was taken.) 16 A. I don't know. Sometimes I have 17 busier days and I take for the day, people 18 bring me friends and everything, so they 19 get paid cash. It takes time till they go 20 on the payroll. 21 Q. This employee, was he working 22 for Yidel's Shopping Cart? 23 A. He was a worker. 24 Q. Which entity was he working for, 25 Yidel's Shopping Cart?</p>	Page 104
<p>1 Y. Salomon 2 locate this delivery worker to get a 3 statement to confirm that he delivered the 4 satisfaction to Yungreis? 5 A. I have to ask my lawyer. I 6 didn't have him. I had -- 7 Q. You had a different lawyer? 8 A. I had a different lawyer. 9 Q. Today, to your knowledge, has a 10 statement of this delivery worker been 11 obtained, a written statement? 12 A. I don't know. 13 Q. What's the name of this delivery 14 worker? 15 A. I don't remember. 16 Q. Well, do you have any documents 17 in your office, business records, 18 employment records that would identify the 19 name and address of this delivery worker? 20 A. I have to check. I don't know. 21 Q. Well, is that delivery worker 22 still employed with you today? 23 A. I don't remember. Keeps 24 changing very frequently, so... 25 Q. Was the delivery worker on your</p>	Page 103	<p>1 Y. Salomon 2 A. I believe so. 3 Q. Does Yidel's Shopping Cart 4 maintain payroll records? 5 A. The accountant has. 6 Q. The accountant is 7 Mr. Hirschfeld? 8 A. I believe so. 9 Q. He maintains the payroll records 10 for Yidel's Shopping Cart? 11 A. Not those who get paid cash. 12 Q. So this worker who did the 13 delivery got paid cash? 14 A. I don't know. I don't remember 15 who it was and -- 16 Q. Just so we're clear, the person 17 who delivered Exhibits 7 and 8 to 18 Mr. Yungreis was an employee of Yidel's, a 19 delivery person who you believe was 20 getting paid cash and therefore is not on 21 your payroll records? 22 MR. LEVINE: Objection to the 23 form. 24 A. I don't know. 25 Q. You don't know?</p>	Page 105

27 (Pages 102 - 105)

<p>1 Y. Salomon 2 A. I don't know. 3 Q. Had you made any efforts prior 4 to today to identify this delivery person 5 who delivered Exhibits 7 and 8 to 6 Mr. Yungreis? 7 MR. LEVINE: In answering that 8 question, make sure you do not 9 disclose any communications with your 10 attorney. 11 MR. FIVESON: That is correct. 12 MR. LEVINE: Do you understand? 13 MR. FIVESON: I don't want to 14 know what you spoke to -- 15 MR. LEVINE: The question he is 16 asking you is whether you made any 17 effort to locate this person. You can 18 answer that question, but do not 19 disclose any communications you had 20 either with me -- 21 MR. FIVESON: Or your prior 22 counsel. 23 MR. LEVINE: -- or your prior 24 attorney. Do you understand? 25 MR. FIVESON: Let me make this</p>	Page 106	<p>1 Y. Salomon 2 he speak English, that you handed the 3 documents to? 4 A. They don't. 5 Q. So how did you communicate with 6 him? 7 A. I write the address. 8 Q. And that's it? 9 A. Yes. 10 Q. So you wrote an address and you 11 gave him the documents? 12 A. Yes. 13 Q. And then you assumed he went and 14 delivered it to Mr. Yungreis? 15 A. Yes. 16 MR. FIVESON: Can we please have 17 this marked as Plaintiff's Exhibit 10 18 for identification? 19 [The document was hereby marked 20 as Plaintiff's Exhibit 10 for 21 identification, as of this date.] 22 Q. Let me just make sure I 23 understand your testimony. You don't know 24 if this delivery person is working for 25 Yidel's today?</p>	Page 108
<p>1 Y. Salomon 2 very clear, if you had a discussion 3 with Mr. Levine or any of your prior 4 two counsel, I don't want to know 5 about that. So whatever question I 6 ask you carves that out. Okay? Do 7 you understand? 8 THE WITNESS: Mm-hmm. 9 MR. FIVESON: Is that a yes? 10 THE WITNESS: Yes. 11 Q. So my question is, did you make 12 any effort to identify this delivery 13 person employee? 14 A. I made effort. The problem is 15 that they don't talk English and 16 everything they say, yes, yes, yes. So 17 it's very hard. Or if they're afraid that 18 you're going to say that they messed 19 something up, they say, no, not me. 20 Everybody says, not me. So it's very 21 hard. Everybody says, it wasn't me. 22 MR. LEVINE: The question is, 23 did you try to find out who it was? 24 THE WITNESS: Right. 25 Q. Now, this delivery person, did</p>	Page 107	<p>1 Y. Salomon 2 A. Right. 3 Q. You don't know if he was on the 4 payroll? 5 A. Right. I don't know who it was. 6 Q. You don't know who it was? 7 A. No. 8 Q. And all you did was write an 9 address on a piece of paper -- 10 A. Not on paper, put it in an 11 envelope. 12 Q. With the address? 13 A. That's how we do everything. 14 It's all delivery is go that way. I mean, 15 all orders -- it's a community that 16 everything is delivered. 17 Q. The delivery person does not 18 speak English? 19 A. Right. 20 Q. So you put Exhibits 7 and 8 in 21 an envelope that had Mr. Yungreis's 22 address on it? 23 A. Yes. 24 Q. Correct? 25 A. Right.</p>	Page 109

	Page 110	Page 112
1 Y. Salomon	1 Y. Salomon	2 MR. FIVESON: Now, I'm going to
2 Q. And you handed it to the	3 mark some documents here. Mark this	4 document as Plaintiff's Exhibit 11,
3 delivery person, correct?	5 and mark that as Plaintiff's Exhibit	6 12 for identification.
4 A. Right.	7 [The documents were hereby	8 marked as Plaintiff's Exhibits 11 and
5 Q. And you did not verbally	9 12 for identification, as of this	10 date.]
6 communicate with him?	11 Q. Let me back up. When you gave 7	12 and 8 to your delivery person, did it have
7 A. No. I sent with him sometimes	13 the signature of Mr. Yungreis's on either	14 document?
8 deposit to the bank. I mean --	15 A. No.	16 Q. When was the next time you saw 7
9 Q. I want to know what you did in	17 and 8 prior to today?	18 A. In the lawsuit.
10 this instance.	19 Q. Well, did you see 7 and 8 at the	20 closing?
11 A. Yes.	21 A. No.	22 Q. And the first time you saw 7 and
12 Q. This instance, you took Exhibits	23 8 is when Gorlitz sued you?	24 A. Yes.
13 7 and 8 and you put it in an envelope,	25 Q. Claiming that Exhibits 7 and 8	
14 correct?		
15 A. Right.		
16 Q. You wrote Yungreis's address on		
17 it, correct?		
18 A. Yes.		
19 Q. You gave it to the delivery		
20 person?		
21 A. Yes.		
22 Q. And that was it?		
23 A. Right.		
24 Q. You didn't communicate verbally		
25 with him because you don't speak his		
	Page 111	Page 113
1 Y. Salomon	1 Y. Salomon	2 are forged?
2 language?	3 A. Yes.	4 MR. LEVINE: Claiming his
3 A. Right.	5 signature was forged.	6 Q. Claiming that the signature of
4 Q. And he doesn't speak your	7 Yungreis was forged?	8 MR. LEVINE: That's his claim.
5 language, correct?	9 Q. You don't recall seeing 7 and 8	10 at the closing?
6 A. Right.	11 A. I don't remember that.	12 Q. Were there any discussions at
7 Q. Did you write Mr. Yungreis's	13 the closing, except between you and	14 the presence of
8 name on the envelope?	15 Mr. Miller, outside	16 anybody regarding satisfying that
9 A. I don't remember, but I'm sure	17 mortgage?	18 A. No, maybe Muller spoke with --
10 that yes.	19 Q. I don't want Muller maybe. I	20 want to know what you recall at that
11 Q. Now, let's look at Exhibit 10,	21 A. I don't remember anything.	22 closing.
12 which is the defendant's response for	23 Q. So you went to the closing.	24 What was your understanding as to whether
13 identification of witnesses. And this was	25 A. or not Yungreis had signed the	26 satisfactions and got it to the closing?
14 presented by your counsel, Mr. Levine, who		
15 is sitting in the room.		
16 Is the name of this delivery		
17 person identified as a witness in this		
18 case on Exhibit 10?		
19 MR. LEVINE: Look at all the		
20 names, please.		
21 THE WITNESS: (Complying.)		
22 MR. LEVINE: Just note my		
23 objection to form.		
24 A. (Perusing.)		
25 No.		

Page 114	Page 116
1 Y. Salamon	1 Y. Salamon
2 A. Yes.	2 Q. So when you sent him 7 and 8 in
3 Q. Why was that your understanding	3 the envelope, correct?
4 if you didn't see either document at the	4 A. Right.
5 closing?	5 Q. You also included a letter or
6 A. Because Muller said he got it	6 some note where to send it?
7 from -- he got it from Yungreis.	7 A. Correct.
8 Q. Your lawyer said that?	8 Q. You did?
9 A. Yes.	9 A. Yes.
10 Q. He stated that at the closing?	10 Q. Do you have a copy of that note?
11 A. Yes.	11 Did you make a copy of that?
12 Q. But you didn't see the documents	12 A. I should make a copy?
13 at the closing?	13 MR. LEVINE: It's yes or no
14 A. I don't remember seeing it.	14 question.
15 Q. Is Mr. Daniel Muller still in	15 A. No.
16 practice?	16 Q. And you had Mr. Muller's
17 A. I believe so. I mean --	17 address --
18 Q. Referring back to Exhibit 10,	18 A. I had it.
19 Mr. Muller is not identified as a witness	19 Q. -- on the note, correct?
20 in this action on Exhibit 10. Do you see	20 A. Right.
21 that?	21 Q. But you don't know what the
22 MR. LEVINE: As a witness in	22 address of Mr. Muller is today?
23 this, the Galster action?	23 A. No.
24 MR. FIVESON: Correct.	24 Q. And Mr. Muller, his office was
25 MR. LEVINE: (Perusing.)	25 in Manhattan?
Page 115	Page 117
1 Y. Salamon	1 Y. Salamon
2 I agree with you. He is not	2 A. I don't know.
3 listed as a witness in this action.	3 Q. Had you ever been to his office?
4 MR. FIVESON: Right.	4 A. No.
5 Q. But just so we're clear, you did	5 Q. Did you pay Mr. Muller for his
6 not bring 7 and 8 to the closing --	6 services by check or cash?
7 A. No.	7 A. You asked me.
8 Q. -- Mr. Muller brought --	8 Q. Was it by check?
9 MR. LEVINE: Let him finish the	9 A. I don't remember.
10 question.	10 Q. I want to show you a two-page
11 Q. Mr. Muller brought them to the	11 document, it's an operating agreement,
12 closing?	12 Exhibit 11. Does your suggest appear on
13 A. I believe so.	13 the second page?
14 Q. How did Mr. Yungreis know to	14 MR. LEVINE: Let me see it,
15 send Exhibits 7 and 8 to Mr. Muller, to	15 please?
16 your understanding?	16 MR. FIVESON: (Handing.)
17 A. I gave them -- I send him all	17 MR. LEVINE: (Perusing.)
18 the information where to send this, um,	18 (Handing.)
19 the satisfaction.	19 A. (Perusing.)
20 Q. When did you send that	20 MR. LEVINE: The question is if
21 information?	21 you recognize your signature on the
22 A. It was together with the -- when	22 second page.
23 I sent him this.	23 MR. FIVESON: Right.
24 Q. 7 and 8?	24 A. Looks like.
25 A. Yes.	25 Q. Do you recognize that document?

30 (Pages 114 - 117)

	Page 118	Page 120
1 Y. Salamon		1 Y. Salamon
2 A. No.		2 A. Um, not really.
3 Q. What was the purpose of your		3 MR. LEVINE: What?
4 borrowing six-and-a-half million dollars		4 Q. Not really?
5 from Galster?		5 A. Could be, but not my normal
6 A. Investment.		6 signature.
7 Q. What was the investment that you		7 Q. Do you recognize it as your
8 intended to use the money for?		8 signature?
9 A. I had numerous things I was		9 A. No.
10 looking to expand.		10 MR. FIVESON: Please mark this
11 Q. What were you looking at?		11 as Plaintiff's Exhibit 13. It's a
12 A. I had a few things that I wanted		12 two-page deposit agreement.
13 to do.		13 [The document was hereby marked
14 Q. Well, what were they?		14 as Plaintiff's Exhibit 13 for
15 A. Online, Amazon. Like to compete		15 identification, as of this date.]
16 with Amazon, different kinds of structure.		16 Q. I'm going to show you a two-page
17 I was trying by Jet.		17 document marked as Exhibit 13, entitled,
18 Q. I don't know what you're saying,		18 Deposit Agreement. Does your signature
19 sir. Jet what?		19 appear above the line signature of
20 A. Walmart owns a company Jet.		20 depositor?
21 Q. What were you going to do with		21 (Handing.)
22 Jet?		22 MR. LEVIN: (Perusing.)
23 A. I was trying. I wanted to -- I		23 (Handing.)
24 wanted to go over there. I was -- I		24 A. (Perusing.)
25 wanted to have first the money and then		25 MR. LEVINE: The question is, is
	Page 119	Page 121
1 Y. Salamon		1 Y. Salamon
2 decide what I'm going to do exactly. I		2 that your signature?
3 had a few opportunities what to do, and if		3 (Indicating.)
4 you don't have the money, you can't do it.		4 A. It's not my signature, but it's
5 You can't tell them, okay, I have		5 similar.
6 opportunity, now I'm waiting for having		6 Q. Let's look at this one.
7 the money. So I wanted to have the money		7 (Indicating.)
8 and then I'm going to see what -- I had a		8 A. I didn't say I didn't sign it.
9 few offers.		9 I --
10 Q. What were the offers you had?		10 MR. LEVINE: You don't have to
11 You had Jet? What else?		11 explain. Just answer the question.
12 A. I don't remember everything that		12 Q. Did you sign Exhibit 13?
13 I had.		13 A. I don't know.
14 Q. I'm going to show you Exhibit		14 MR. FIVESON: Mark this one-page
15 12, which is an affidavit of title. Does		15 letter as Plaintiff's 14 for
16 your signature appear at the bottom of		16 identification.
17 that document?		17 [The document was hereby marked
18 MR. LEVINE: Let me see this		18 as Plaintiff's Exhibit 14 for
19 first, please.		19 identification, as of this date.]
20 MR. FIVESON: (Handing.)		20 Q. Did you sign Exhibit 14?
21 MR. LEVINE: (Perusing.)		21 (Handing.)
22 (Handing.)		22 A. (Perusing.)
23 A. (Perusing.)		23 Looks like.
24 MR. LEVINE: He's asking is that		24 MR. FIVESON: Please mark this
25 your signature.		25 as Exhibit 15. It's consent and

<p>1 Y. Salamon 2 appointment. 3 [The document was hereby marked 4 as Plaintiff's Exhibit 15 for 5 identification, as of this date.] 6 Q. I want to show you Exhibit 15. 7 Did you sign this document? 8 (Handing.) 9 A. (Perusing.) 10 Yes. 11 MR. FIVESON: It's 1:00. Let's 12 take a lunch break. 13 (Lunch recess was taken.) 14 [The documents were hereby 15 marked as Plaintiff's Exhibits 3L, 3M, 16 and 3N for identification, as of this 17 date.] 18 MR. FIVESON: Please mark this 19 as Plaintiff's Exhibit 16 for 20 identification. It's defendant's 21 first supplemental response to 22 plaintiff's demand for witnesses. 23 [The document was hereby marked 24 as Plaintiff's Exhibit 16 for 25 identification, as of this date.]</p>	Page 122	<p>1 Y. Salamon 2 Q. Is he still employed by you? 3 A. No. 4 Q. When did he leave your 5 employment? 6 A. I don't know. 7 Q. Do you have employment records 8 of his last known address? 9 A. I don't know. I don't know if 10 he was, um, on the books. 11 Q. So you don't have his address, 12 correct? 13 A. I don't know. 14 Q. Well, it says here on this 15 disclosure, Exhibit 16, it says, Present 16 address unknown. Do you see that? 17 A. Yes. 18 Q. And he's listed under it. 19 A. Okay. 20 Q. Right? 21 A. Right. 22 Q. So that means you don't have his 23 address, correct? 24 A. Yes. 25 Q. That means you have no written</p>	Page 124
<p>1 Y. Salamon 2 Q. I want to show you what is 3 marked as Exhibit 16, which is the 4 supplemental witness disclosure filed by 5 your attorney, Mr. Levine, in this action. 6 It's dated May 1, 2016. Is the name of 7 that employee to whom you delivered the 8 envelope containing Exhibits 7 and 8 9 identified in this witness disclosure, 10 Exhibit 16? 11 MR. LEVINE: Look at all the 12 names. 13 A. (Perusing.) 14 I think yes. 15 Q. Who is that? 16 A. I'm not sure, but I think 17 it's -- 18 Q. You're pointing, if I may, 19 Victor Tambrulese (phonetic) Guarchaj, G U 20 A R C H A J, is that who you're referring 21 to? 22 A. I think so. 23 Q. You think he's the person; is 24 that correct? 25 A. Yes.</p>	Page 123	<p>1 Y. Salamon 2 record of him working for you? 3 A. Right. 4 Q. Well, do you have personal 5 knowledge that he delivered that envelope 6 to Mr. Yungreis? 7 MR. LEVINE: Objection to form. 8 You can answer. 9 A. Yes. 10 Q. How do you know that? 11 A. Because he told me then. I 12 mean, the guy who -- the -- I wasn't sure 13 if it's him because afterwards when I 14 tried to come back, everybody says, not 15 me, not me. But original, the day I sent 16 it, I ask, it was delivered to him, yes. 17 Q. He said "yes," is that your 18 testimony? 19 A. Yes, but I'm not sure if it 20 was -- it was probably him because to the 21 best of my knowledge, but -- 22 Q. Did you ever call Mr. Yungreis 23 and did Yungreis tell you he got it from 24 this delivery person? 25 A. Then.</p>	Page 125

Page 126	Page 128
1 Y. Salamon 2 Q. What do you mean "then"? 3 A. I believe so. 4 Q. My question is, after you gave 5 the envelope to this employee – 6 A. To the best of my knowledge, I 7 called him that he got it, called him or 8 asked – to best of my knowledge. 9 Q. So after you gave the envelope 10 to the employee, you called Mr. Yungreis 11 to confirm he received it? 12 A. To the best of my knowledge. 13 Q. Did you use a cell phone or did 14 you use a landline? 15 A. I don't know. 16 Q. Do you have a cell phone? 17 A. Yes. 18 Q. What's your cell phone number? 19 A. 718-473-5858. 20 Q. Who was your servicer in August 21 of 2016; Verizon, AT&T, T-Mobile? 22 A. I don't know. 23 Q. You don't know who you paid your 24 cell phone bill to? 25 A. On '16, I don't know.	1 Y. Salamon 2 (Handing.) 3 You can answer. 4 A. (Perusing.) 5 Yes. 6 Q. Was \$6,095,068.80 wired to 7 Yidel's Shopping Cart representing a 8 portion of the loan proceeds? 9 A. Yes. 10 Q. I want to show you 3M. Had you 11 ever seen this document, which appears to 12 be a closing statement? 13 (Handing.) 14 A. (Perusing.) 15 Q. For the closing. 16 A. (Perusing.) 17 MR. LEVINE: The question is, 18 have you ever seen this before. 19 A. I don't remember. 20 Q. And I note it says, Present at 21 closing, Annmarie Kearney, K E A R N E Y - 22 Wood, Esquire; Daniel, D A N I E L, 23 Muller, M U L L E R; Yehuda Salamon; Ira 24 Neuman. Do you see that over here? 25 (Indicating.)
1 Y. Salamon 2 Q. I'm talking about in August of 3 2016. 4 A. That's what I am saying. I 5 don't know who paid then. 6 Q. Who do you pay today? 7 A. Today is Sprint. 8 Q. Sprint? 9 A. Yeah. 10 Q. Did you change services from -- 11 A. I changed. 12 Q. – from since the closing till 13 today? 14 A. I changed, but I don't know if 15 it changed services, plan. I don't 16 remember. 17 Q. Now, we also marked in your 18 absence Exhibits 3L, 3M, and 3N, which I 19 would like to go over with you. I want to 20 show you 3L, which is identified as the 21 loan disbursement approval. Does your 22 signature appear on that document? 23 (Handing.) 24 MR. LEVINE: Hold on. 25 (Perusing.)	Page 127
	Page 129
	1 Y. Salamon 2 A. (Perusing.) 3 Yes. 4 Q. Does that refresh your 5 recollection as to who your attorneys were 6 at the closing? 7 A. It was Daniel Muller. 8 Q. Who was Annmarie Kearney-Wood? 9 A. No clue. 10 Q. And who was Ira Neuman? 11 A. I don't know. 12 Q. There's also underneath is Judah 13 (phonetic) Tynauer, T Y N A U E R. Who's 14 that? 15 A. Nothing with me. 16 Q. And going back to Exhibit 3L, 17 which you signed, were any of the monies 18 disbursed at the closing to pay your 19 lawyer or the law firm which he worked 20 for? 21 MR. LEVINE: Are you asking him 22 if he remembers that or if it's 23 indicated on this document? 24 MR. FIVESON: Whether he 25 remembers that or if it's indicated on

33 (Pages 126 - 129)

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	Page 130	Page 132
1	Y. Salamon	Y. Salamon
2	the document.	Q. How many payments did you make?
3	MR. LEVINE: (Perusing.)	A. We gave them post-dated checks.
4	(Handing.)	Q. How many post-dated checks did
5	A. (Perusing.)	5 you give them?
6	I don't know for which company	A. I think 12.
7	he works, so I don't know.	Q. And did those checks clear?
8	Q. You don't know. There is a wire	A. No.
9	to Szenberg, S Z E N B E R G & Okun, O K U	Q. How many cleared?
10	10 N, PLLC, for \$6,250. Was that the law	A. I don't know. They froze my
11	firm which Mr. Muller worked for?	account, Galster. So if not for that, it
12	A. I don't know.	would have gone through.
13	Q. And then there's a wire to Judah	Q. Going back to Exhibit 3L, it
14	Tynauer, T Y N A U E R, for \$32,500. What	says that \$6,095,068.80 was wired to
15	was that for?	Yidel's. Do you recall that?
16	A. Not from me.	A. Yes.
17	Q. Not from you?	Q. What bank did those monies go
18	A. Right.	into?
19	Q. Is that the mortgage broker?	A. I think Bank of America.
20	A. Could be.	Q. Or was it Signature Bank?
21	Q. Could be. The name doesn't	A. I don't remember.
22	sound familiar to you?	Q. I want to show you Exhibit N.
23	A. I know who he is, but I didn't	Had you ever seen this document before?
24	deal with him.	A. (Perusing.)
25	Q. You know who he is?	MR. LEVINE: What is this?
	Page 131	Page 133
1	Y. Salamon	Y. Salamon
2	A. Yes.	MR. FIVESON: N is a wire
3	Q. Who is he?	transfer advice. It's a report dated
4	A. From the bank -- from Galster,	November 16, 2016, for a wire that
5	not from me.	occurred on August 13, 2016.
6	Q. Did Judah Tynauer contact you	A. August 13th?
7	for this loan?	Q. August 30th. Coming from Stark,
8	A. No.	Amron & Liner, of \$6,085,068.80. Do you
9	Q. Now, was the first payment on	see that? And did that go into the
10	the note you gave to Galster due on	Signature Bank?
11	October 1, 2016?	A. Okay. So what?
12	A. It's a question?	Q. Well, did Yidel's have an
13	Q. Yes.	account at Signature Bank?
14	A. What was the question?	A. Yes.
15	Q. Let me go back. Let me back up.	Q. Now, let's go back to Exhibit 1,
16	Do you recall when the first monthly	which is your accounting.
17	payment was due on the note you gave	MR. FIVESON: Can we have this
18	Galster for six-and-a-half million dollars	one marked as Exhibit 1B for
19	on August 30, 2016?	identification?
20	A. No.	[The document was hereby marked
21	Q. Was it due October 1, 2016?	as Plaintiff's Exhibit 1B for
22	A. Maybe.	identification, as of this date.]
23	Q. Did you make any payments to	Q. Before I get to Exhibit 1B.
24	Galster on that promissory note?	Mr. Salmon, have you ever been known by
25	A. Yes.	any other name other than Yehuda Salamon?

	Page 134	Page 136
1	Y. Salamon	1 Y. Salamon
2	A. Yes.	2 And that appears to be a bank statement
3	Q. What other names?	3 drawn on the Signature Bank. And the
4	A. Marty.	4 account is Yidel's Shopping Cart, Inc.,
5	Q. Marty what?	5 D/B/A Riverstone Group. Do you see that?
6	A. Salamon.	6 A. Yes.
7	Q. Any other names?	7 Q. Who is Riverstone Group?
8	A. Um, yes, Yidel.	8 A. It's a corporation that -- it's
9	Q. Yidel?	9 also I'm affiliated with it.
10	A. Mm-hmm.	10 Q. Well, what does Riverstone Group
11	Q. Y I D D -	11 do?
12	A. Y I D E L.	12 A. Depends.
13	Q. Salamon?	13 Q. Well -
14	A. Mm-hmm.	14 A. It's -- it's -- if you use
15	Q. That's a yes?	15 Yidel's Grocery, then you know you're a
16	MR. LEVINE: You have to say yes	16 grocery store. When you want to be
17	or no.	17 professional and make business
18	A. Yes.	18 transactions, you have a different name.
19	Q. Any other name?	19 Q. The name is D/B/A Riverstone
20	A. I can't recollect.	20 Group?
21	Q. When do you use the name Marty	21 A. Yes.
22	Salamon?	22 Q. Does Riverstone Group have an
23	A. Sometimes.	23 office anywhere?
24	Q. Any particular occasion?	24 A. Not now.
25	A. Depends. Sometimes.	25 Q. Well, let's talk about in August
	Page 135	Page 137
1	Y. Salamon	1 Y. Salamon
2	Q. Why do you use the name Marty	2 of 2016, did it have an office?
3	Salamon?	3 A. I don't remember.
4	A. Why, because when I don't want	4 Q. What about in 2017, did it have
5	5 to connect with Yidel.	5 an office?
6	Q. What does that mean, you don't	6 A. I don't know.
7	7 want to connect with Yidel?	7 Q. Exhibit 1B, that shows the loan
8	A. If I don't want people to put me	8 proceeds of \$6,085,068.80 coming into this
9	9 together straight like in other	9 Signature Bank account, correct?
10	10 businesses, like this, I know sometimes	10 A. Yes.
11	11 when someone calls me for what they call	11 MR. FIVESON: Let's have 1C
12	12 me.	12 marked, please.
13	13 Q. Why don't you want people to	13 [The document was hereby marked
14	14 know or connect you to Yidel's? What	14 as Plaintiff's Exhibit 1C for
15	15 circumstances would that event occur?	15 identification, as of this date.]
16	16 MR. LEVINE: Objection to form.	16 Q. I'm going to show you Exhibit
17	17 You can answer.	17 1C, which shows an outgoing wire from
18	18 A. In -- when I don't want to be	18 Yidel's Shopping Cart, D/B/A Riverstone
19	19 like a grocery. I want to be like a	19 Group account on Signature Bank, of 2.5
20	20 different business.	20 million dollars. Do you see that?
21	21 Q. When do you go by the name Yidel	21 (Indicating.)
22	22 Salamon?	22 A. Yes.
23	23 A. Depends. Personal, mostly.	23 Q. Where did that money go?
24	24 Q. Now, I want to show you Exhibit	24 A. I don't remember.
25	25 1B, which is annexed to your accounting.	25 Q. Have you ever heard of the law

1 Y. Salomon 2 firm Mintz Levin? 3 MR. LEVINE: Mintz Levin? 4 MR. FIVESON: Mintz Levin. 5 MR. LEVINE: I thought it was 6 Mintz Levin. 7 MR. FIVESON: Mintz Levin, Mintz 8 Levin. 9 MR. LEVINE: Can I see that, 10 please? 11 MR. FIVESON: Yes, by all means. 12 (Handing.) 13 MR. LEVINE: (Perusing.) 14 Q. Using Exhibit C, you don't know 15 where that money went? 16 MR. LEVINE: By "that money," 17 you mean -- 18 MR. FIVESON: The 2.5 million 19 dollars. 20 MR. LEVINE: Objection. Asked 21 and answered. 22 You can answer it again. 23 A. For what this went? 24 Q. Where did it go? Who was it 25 wired to?	Page 138	1 Y. Salomon 2 certification? 3 MR. FIVESON: Well, let me back 4 up. I'll withdraw that question. 5 Please mark this as Plaintiff's 6 Exhibit 17A, which is the business 7 profile and account application for 8 the Yidel's Shopping Cart, Inc., D/B/A 9 Riverstone Group account. 10 [The document was hereby marked 11 as Plaintiff's Exhibit 17A for 12 identification, as of this date.] 13 Q. I'm going to ask you if your 14 signature appears on this document? 15 (Handing.) 16 MR. LEVINE: (Perusing.) 17 A. (Perusing.) 18 I think so. 19 Q. What? 20 MR. LEVINE: He said, I think 21 so. 22 A. I think so. 23 Q. And on this document it says the 24 primary contact is Marty (Yehuda) Salomon, 25 Owner, and you gave an e-mail address of	Page 140
1 Y. Salomon 2 A. (Perusing.) 3 It doesn't say where. 4 Q. But do you know? 5 MR. LEVINE: Do you remember? 6 THE WITNESS: No. 7 Q. You don't remember? 8 A. No. 9 MR. FIVESON: Please mark this 10 as Plaintiff's Exhibit 17 for 11 identification. 12 [The document was hereby marked 13 as Plaintiff's Exhibit 17 for 14 identification, as of this date.] 15 MR. FIVESON: I'm showing it to 16 Counsel. 17 (Handing.) 18 MR. LEVINE: (Perusing.) 19 (Handing.) 20 A. (Perusing.) 21 Q. Do you recognize what Exhibit 17 22 is? 23 A. (Perusing.) 24 MR. LEVINE: You're asking about 25 the entire document including the	Page 139	1 Y. Salomon 2 marty@ecommerce, E C O M M E R C E, 3 expand.com. Do you see that? 4 A. Yes. 5 Q. What is eCommerce? 6 A. It was when I wanted to try the 7 Jet. I told you, Jet. So I was trying to 8 make a different kind of e-mail address. 9 Q. Did eCommerce have a location 10 where it did business in 2016? 11 A. No. I don't remember. 12 MR. FIVESON: Please mark this 13 as 17B for identification. 14 [The document was hereby marked 15 as Plaintiff's Exhibit 17B for 16 identification, as of this date.] 17 Q. 17B is the complete document of 18 the redacted page you previously looked 19 at, 1C. 17B is the complete document and 20 it shows 2.5 million being wired to Mintz 21 Levin Cohn Ferris Glovsky. Do you see 22 that? 23 (Handing.) 24 A. (Perusing.) 25 MR. LEVINE: He's asking you	Page 141

1 Y. Salomon 2 about this right here. 3 (Indicating.) 4 MR. FIVESON: Correct. 5 A. Yes. 6 Q. Who is that Mintz Levin firm? 7 A. I don't know why it was. 8 Q. Did they ever represent any of 9 your entities? 10 A. I don't know. 11 Q. Did you ever hear of the entity 12 R.S. Old Mill, LLC? 13 A. Yes. 14 Q. Were you ever a sole member of 15 that entity? 16 A. Yes. 17 Q. Did that money get wired to 18 Mintz Levin for the benefit of R.S. Old 19 Mill, LLC? 20 A. I don't know. 21 Q. Now, was that money, that 2.5 22 million, ever returned to you by Mintz 23 Levine? 24 A. I don't remember. 25 MR. FIVESON: Please mark these	Page 142	Page 144	1 Y. Salomon 2 or not Yidel's had a bank account there? 3 A. Right. 4 Q. Do you see the entry on Exhibit 5 18A that shows a wire transfer into the 6 account originate from Mintz Levin Cohn of 7 2.5 million dollars on November 10, 2016? 8 Do you see that? 9 A. I see it. 10 Q. Was that money received by 11 Yidel's on that date? 12 A. I don't know. 13 Q. And was that 2.5 million 14 transferred by Yidel's on November 25, 15 2016, to two accounts? 16 A. I don't remember. 17 Q. A million five to an account 18 ending in 2350, and a million to an 19 account 2347. Do you see that? 20 A. I see that. I don't remember. 21 Q. You don't recall? 22 A. No. 23 Q. Now, do you know what entity had 24 accounts ending in 2350 and 2347 on 25 November 25, 2016?
1 Y. Salomon 2 as Plaintiff's Exhibits 18 and 18A. 3 [The documents were hereby 4 marked as Plaintiff's Exhibits 18 and 5 18A for identification, as of this 6 date.] 7 MR. FIVESON: Off the record. 8 [Discussion held off the 9 record.] 10 Q. I want to show you Exhibit 18. 11 Do you recognize that bank statement? 12 (Handing.) 13 A. (Perusing.) 14 MR. LEVINE: Inclusive of 18A? 15 MR. FIVESON: Yes, the whole 16 document. It's one statement. 17 MR. LEVINE: Go ahead. 18 A. I don't remember. 19 Q. And did Yidel's Shopping Cart 20 Inc., D/B/A Riverstone Group, have a 21 checking account at Bank of America in 22 November of 2016? 23 A. I don't remember. 24 Q. And this document, Exhibit 18, 25 doesn't refresh your recollection whether	Page 143	Page 145	1 Y. Salomon 2 A. No. 3 Q. Do you know where that money is 4 today, the 2.5 million? 5 A. No. 6 MR. FIVESON: Please mark this 7 as Plaintiff's Exhibit 19 and 8 Plaintiff's Exhibit 20 for 9 identification. 10 [The documents were hereby 11 marked as Plaintiff's Exhibits 19 and 12 20 for identification, as of this 13 date.] 14 Q. Let me show you Exhibit 19, 15 which is a business signature card form 16 for the Bank of America, account title, 17 Riverstone U.S.A. Does your signature 18 appear on that document? 19 (Handing.) 20 A. (Perusing.) 21 No recollection. 22 Q. Do you know the name David 23 Salomon, S A L A M O N; who's here 24 director member of Riverstone U.S.A.? 25 A. Yes.

Page 146		Page 148	
1	Y. Salamon	1	Y. Salamon
2	Q. Who is that?	2	Avenue?
3	A. My son.	3	A. Yes.
4	Q. Who?	4	Q. That's your address, correct?
5	A. My son.	5	A. Yes.
6	Q. Your son?	6	Q. And did you get this bank
7	A. Yes.	7	statement in your address?
8	Q. How old is David Salamon?	8	A. I don't remember.
9	A. Twenty-five, about.	9	MR. FIVESON: Can we have this
10	Q. What's his date of birth?	10	marked as 20A for identification?
11	A. I don't know.	11	[The document was hereby marked
12	Q. Where does he live?	12	as Plaintiff's Exhibit 20A for
13	A. Rockland County.	13	identification, as of this date.]
14	Q. I'm sorry?	14	Q. Does 20A show the receipt of 1.5
15	A. Rockland County.	15	million dollars into this account on
16	Q. Where in Rockland County?	16	November 25, 2016 handing?
17	A. I don't remember the address.	17	MR. LEVINE: (Perusing.)
18	Q. Do you know the town?	18	Are you asking him to interpret
19	A. Monsey.	19	this document?
20	Q. Is that your son's signature on	20	MR. FIVESON: It's a bank
21	Exhibit 19?	21	statement which apparently was issued
22	A. I don't know.	22	to him. I want to know whether or not
23	Q. Did you sign Exhibit 19 as your	23	it accurately shows receipt of that
24	son?	24	money on that date.
25	A. I don't remember.	25	MR. LEVINE: Objection to your
Page 147		Page 149	
1	Y. Salamon	1	Y. Salamon
2	Q. Now, if we go back to Exhibit	2	characterization of what this is.
3	18, the Bank of America record is in	3	However, if you're asking him if this
4	Yidel's Shopping Cart D/B/A Riverstone	4	document reflects a 1.5 million
5	Group, and Exhibit 19 seems to be a	5	dollar —
6	document in the name of Riverstone U.S.A.	6	MR. FIVESON: Receipt into that
7	Do you see that?	7	account. I'll adopt that question,
8	A. Yes.	8	Counselor.
9	Q. Is there any connection between	9	MR. LEVINE: Receipt into this
10	Riverstone Group and Riverstone U.S.A.?	10	account?
11	MR. LEVINE: Objection to form.	11	MR. FIVESON: Correct.
12	You can answer.	12	MR. LEVINE: The account that's
13	MR. FIVESON: That he knows of.	13	reflected in 20A?
14	A. I don't know.	14	MR. FIVESON: Correct.
15	Q. Is there a separate entity	15	A. I have no clue.
16	Riverstone U.S.A. separate from Riverstone	16	MR. LEVINE: No, he's asking you
17	Group?	17	what does it say. Can you see what it
18	A. I don't know.	18	says?
19	Q. I would like to show you Exhibit	19	THE WITNESS: No.
20	20, which appears to be a Bank of America	20	Q. Do you have a recollection of
21	statement for November of 2016, for	21	receiving 1.5 million dollars in the
22	Riverstone U.S.A., LLC. Do you see that?	22	Riverstone U.S.A., LLC Bank of America
23	A. Yes.	23	account ending in 2350, on November 25,
24	Q. And you see the address for	24	2016?
25	Riverstone U.S.A., LLC is 4921 12th	25	A. No.

<p>1 Y. Salamon 2 MR. FIVESON: Can I have this 3 marked as Plaintiff's Exhibit 21? 4 [The document was hereby marked 5 as Plaintiff's Exhibit 21 for 6 identification, as of this date.] 7 MR. FIVESON: Exhibit 21 is a 8 four-page bank statement for Bank of 9 America to the Riverstone U.S.A., LLC, 10 for account ending in 2347, and it's 11 dated November of 2016. 12 Q. I ask if you've ever received 13 that statement? 14 MR. LEVINE: If he personally? 15 MR. FIVESON: It's for a 16 different account, Counsel. 17 MR. LEVINE: Give me one second 18 here. 19 (Perusing.) 20 MR. LEVINE: The question is, 21 do you recall receiving this 22 statement? 23 A. (Perusing.) 24 I don't remember. 25 Q. Are you the owner of Riverstone</p>	Page 150	<p>1 Y. Salamon 2 Q. Do you recall that -- 3 A. No. 4 Q. -- receipt of monies? 5 A. No. 6 Q. This Exhibit 21A records wiring 7 out of the account 1.5 million dollars to 8 Commonwealth Land Title. Do you see that? 9 A. (Perusing.) 10 Q. On November 28th? 11 A. (Perusing.) 12 I see it. 13 Q. Was 1.5 million wired out on 14 that date to Commonwealth? 15 A. That's what it says. 16 Q. Well, do you recall that? 17 A. No. 18 Q. Do you deny that that's what 19 occurred? 20 MR. LEVINE: Objection to form. 21 A. I don't know what it is. I 22 don't remember. 23 Q. Going back to Exhibit 20A, this 24 shows on November 25th, one million 25 dollars being wired to Commonwealth Land</p>	Page 152
<p>1 Y. Salamon 2 U.S.A., LLC? 3 A. I don't remember. 4 Q. Do you know who is the owner? 5 A. I don't know. 6 Q. Is that LLC still in existence 7 today? 8 A. I don't know. 9 MR. FIVESON: Can I please have 10 this marked as Plaintiff's Exhibit 11 21A. 12 [The document was hereby marked 13 as Plaintiff's Exhibit 21A for 14 identification, as of this date.] 15 Q. This bank statement shows 16 receipt into this account 2347 of one 17 million dollars on November 25, 2016. I'm 18 referencing Exhibit 21A. Do you see that? 19 MR. LEVINE: Does he see that it 20 reflects such a deposit? 21 MR. FIVESON: Yes, wire transfer 22 in. 23 A. If I see? 24 Q. Yes. 25 A. I see it, yes.</p>	Page 151	<p>1 Y. Salamon 2 Title. Do you see that? 3 A. (Perusing.) 4 Yes. 5 Q. Did that occur? 6 A. I don't know. 7 Q. Well, do you know why 8 two-and-a-half million dollars would be 9 wired out of the Riverstone U.S.A., LCC 10 account on November 25, 2016, to go to 11 Commonwealth Land Title? 12 A. I don't remember. 13 Q. Did Commonwealth Land Title act 14 as the title agent for the purchase of a 15 property from Novartis Corporation by R.S. 16 Old Mill, LLC? 17 A. I don't remember. 18 Q. Was not Commonwealth Land Title 19 acting as an escrow agent on behalf of 20 R.S. Old Mill, LLC, to hold two-and-a-half 21 million dollars as an earnest money 22 deposit for the purchase of that property? 23 A. I don't remember. 24 Q. Do you recall being present at a 25 closing on September 1, 2017, where R.S.</p>	Page 153

1 Y. Salomon 2 Old Mill, LLC, purchased from Novartis 3 Corporation a property up in Suffern, New 4 York, in the amount of 18 million dollars? 5 MR. LEVINE: Hold on. I've been 6 letting you get a great deal of 7 leeway. What does that have to do 8 with this case? 9 MR. FIVESON: Well, it has to do 10 with the accounting that he gave. He 11 gave an accounting as to where the 12 monies were and we never got the 13 accounting. He never disclosed in his 14 accounting where the monies went. And 15 now we have two-and-a-half million 16 dollars going into this property. 17 MR. LEVINE: No, you don't. And 18 what happened in a transaction in 19 November of 2017, approximately, has 20 nothing to do with this case. I'm 21 going to terminate this line of 22 inquiry now. 23 MR. FIVESON: Just so it's 24 clear, I don't want to argue on the 25 record, you were directing him not to	Page 154	1 Y. Salomon 2 information that would lead to 3 relevant information. 4 MR. FIVESON: Just so it's 5 clear, I'm asking for the disposition 6 of two-and-a-half million dollars of 7 loan proceeds from my loan that now 8 have been transferred into -- traced 9 into the Commonwealth escrow account, 10 who was the escrow agent for the 11 purchase of that property. And I want 12 to know whether or not that property 13 was consummated and whether or not 14 those monies were used to pay for the 15 purchase of the property. 16 MR. LEVINE: I don't accept your 17 premise, number 1. And number 2, what 18 is the difference where the loan 19 proceeds went? 20 MR. FIVESON: Well, he was 21 ordered to give an accounting and we 22 never got the accounting and a motion 23 for contempt was denied without 24 prejudice to renew, because the judge 25 said, do discovery. He didn't give us	Page 156
1 Y. Salomon 2 answer any questions regarding the use 3 of the two-and-a-half million dollars, 4 which were loan proceeds wired into 5 the Signature Bank account to Mintz 6 Levin refunded to the Bank of America 7 account, then transferred to his 8 company, Riverstone Group, and then 9 into Commonwealth. 10 MR. LEVINE: I don't accept the 11 premise of your statement. 12 MR. FIVESON: Let's assume what 13 I'm saying is true -- 14 MR. LEVINE: I can't assume 15 it's true, because it's not. 16 MR. FIVESON: So you're not 17 going to let him answer any questions 18 regarding -- 19 MR. LEVINE: You're asking him a 20 question about a 2017 transaction that 21 has nothing to do with the pleadings 22 in this case. Your deposition is 23 limited to the pleadings in this case. 24 Therefore, the question itself is not 25 asking for relevant information or	Page 155	1 Y. Salomon 2 an accounting. 3 So I'm not going to argue. If 4 you're going to instruct him not to 5 answer, I'll get a ruling and we'll 6 have a judge decide and we'll come 7 back, but I'm telling you where I'm 8 going. So you tell me what you want 9 to do. 10 MR. LEVINE: I'm telling you 11 that I will not allow him to answer 12 questions regarding a 2017 transaction 13 that has nothing to do with the 14 pleadings in this case. 15 MR. FIVESON: So I'm going to 16 reserve as to that. 17 And you're not going to let him 18 identify his signature on any 19 pleadings in connection with that 20 transaction? There was a -- 21 MR. LEVIN: No, no. What do you 22 mean pleadings? 23 MR. FIVESON: Well, there was a 24 lawsuit filed in Rockland County by 25 Old Mill in connection with that	Page 157

		Page 158	Page 160
1	Y. Salamon		Y. Salamon
2	transaction.		Q. Well, does it look like your
3	MR. LEVINE: You can ask him		signature?
4	about his signature on the document.		A. Yes.
5	I have no problem with that.		MR. FIVESON: Let's have these
6	MR. FIVESON: Fine.		marked as Plaintiff's Exhibits 23 and
7	So let's mark this as		23A for identification.
8	Plaintiff's Exhibit 22 and Plaintiff's		[The documents were hereby
9	Exhibit 22A for identification.		marked as Plaintiff's Exhibits 23 and
10	[The documents were hereby		23A for identification, as of this
11	marked as Plaintiff's Exhibits 22 and		date.]
12	22A for identification, as of this		Q. Is 23 your declaration filed in
13	date.]		the R. S. Old Mill bankruptcy, and is 23A
14	Q. I'm going to show you what's		your signature?
15	been marked as Exhibit 22, which appears		(Handing.)
16	to be a summons and complaint filed in		A. (Perusing.)
17	Rockland County, under index number		MR. LEVINE: The yellow
18	030713/2017. I'm going to ask you if you		highlighting does not appear on the
19	can identify it. And then I'm going to		original --
20	ask you about Exhibit 22A, whether that's		MR. FIVESON: It doesn't matter.
21	your signature.		MR. LEVIN: -- correct?
22	MR. LEVINE: Can I see that,		MR. FIVESON: Correct.
23	please?		MR. LEVINE: (Perusing.)
24	MR. FIVESON: (Handing.)		(Handing.)
25	MR. LEVINE: (Perusing.)		Is this your declaration and do
		Page 159	Page 161
1	Y. Salamon		Y. Salamon
2	Okay.		you recognize the signature, are the
3	(Handing.)		questions.
4	A. (Perusing.)		A. (Perusing.)
5	MR. LEVINE: Do you recognize		The signature doesn't look like
6	the document is the first thing that		mine. I don't know.
7	he's asking you?		Q. Do you deny that that's your
8	Q. Do you recognize the document?		signature on 23A?
9	A. (No verbal response.)		A. I don't deny that's my
10	MR. LEVINE: I think he's still		signature. It doesn't look like my
11	looking at it.		signature.
12	MR. FIVESON: I'm sorry.		Q. Well, do you recall signing that
13	A. (Perusing.)		document?
14	Yes.		A. (Perusing.)
15	Q. What is the document?		I don't remember.
16	A. What do you mean?		MR. FIVESON: Please mark these
17	Q. It's a complaint filed by R.S.		as Plaintiff's Exhibits 24 and 24A.
18	Old Mill?		[The documents were hereby
19	A. Yes.		marked as Plaintiff's Exhibits 24 and
20	Q. And did you sign Exhibit 22A,		24A for identification, as of this
21	which is the verification to that		date.]
22	document?		MR. FIVESON: Counsel.
23	(Handing.)		(Handing.)
24	A. (Perusing.)		MR. LEVINE: (Perusing.)
25	Probably.		And for the record, I'm allowing

41 (Pages 158 - 161)

	Page 162	Page 164
1	Y. Salamon	1 Y. Salamon
2	you to show him documents and identify	2 Q. Did you sign Exhibit 25?
3	his signature. I'm not waiving any	3 (Indicating.)
4	objection to relevancy.	4 A. Looks like.
5	MR. FIVESON: I agree with that.	5 Q. And is this the statement of the
6	MR. LEVINE: (Handing.)	6 monthly operating expenses for R.S. Old
7	That document is in front of the	7 Mill for June of 2017?
8	witness, Exhibit 24.	8 (Handing.)
9	Q. Do you recognize 24?	9 A. (Perusing.)
10	A. (Perusing.)	10 That's what it says.
11	I don't remember.	11 MR. FIVESON: Please mark these
12	Q. I want to show you the signature	12 as Plaintiff's Exhibits 26 and 26A for
13	page, 24A. It's signed by a Yoel Kaufman.	13 identification.
14	Do you see that?	14 [The documents were hereby
15	A. Yes.	15 marked as Plaintiff's Exhibits 26 and
16	Q. Is that your signature?	16 26A for identification, as of this
17	A. No.	17 date.]
18	Q. Are you known as Yoel Kaufman?	18 Q. I want to show you Exhibit 26.
19	A. No.	19 I'm going to ask if you recognize the
20	Q. Do you know who that person is?	20 document and whether or not your signature
21	A. Yes.	21 appears on 26A? 26 appears to be an
22	Q. Who is he?	22 agreement, dated November 28, 2016 that
23	A. He was involved with me.	23 was Exhibit 26.
24	Q. Well, is he a member of R.S. Old	24 (Handing.)
25	Mill?	25 MR. LEVINE: (Perusing.)
	Page 163	Page 165
1	Y. Salamon	1 Y. Salamon
2	A. I don't remember.	2 (Handing.)
3	Q. Do you know his address?	3 So do you recognize the
4	A. No.	4 document, number 1?
5	Q. How was he involved with you?	5 THE WITNESS: (Perusing.)
6	A. He helped me out.	6 I don't remember.
7	Q. What did he do?	7 Q. Do you recognize your signature
8	A. I don't remember.	8 on page 26A?
9	MR. FIVESON: Please mark this	9 A. Looks like my signature.
10	as Exhibit 25 for identification.	10 MR. FIVESON: With the questions
11	[The document was hereby marked	11 that I left open, I think there was
12	as Plaintiff's Exhibit 25 for	12 one subject you and I discussed about
13	identification, as of this date.]	13 the post closing transaction.
14	Q. I'm going to show you what's	14 MR. LEVINE: What post - okay.
15	been marked as Exhibit 25, which is a	15 MR. FIVESON: We talked about a
16	monthly operating statement for R.S. Old	16 closing in 2017 and you said you are
17	Mill, LLC. Do you recognize the document?	17 not going to let him answer any
18	(Handing.)	18 questions about that transaction.
19	MR. LEVINE: (Perusing.)	19 MR. LEVINE: On a separate
20	(Handing.)	20 transaction.
21	Okay.	21 MR. FIVESON: Right. Other than
22	A. (Perusing.)	22 that, and with regard to two other
23	Yes.	23 items that he was instructed not to
24	Q. What is the document?	24 answer, I'm done with this
25	A. What do you mean?	25 examination.

			Page 166	Page 168	
1	Y. Salamon				
2	MR. LEVIN: I don't have any		1		
3	cross-examination.		2 INDEX: (continued)		
4	Off the record.		3 PLAINTIFFS DESCRIPTION	PAGE	
5	[Discussion held off the		4		
6	record.]		Exhibit 3G Signature page	40	
7	[TIME NOTED: 3:00 p.m.]		5	Exhibit 3H Mortgage note	43
8			6	Exhibit 3I Signature page	43
9	YEHUDA SALAMON		7	Exhibit 3J Restated note, 5/4/06	44
10			8	Exhibit 3K Signature page	44
11	Subscribed and sworn to		9	Exhibit 3L Loan disbursement	
12	before me this		10	approval	122
13	day of _____, 2018.		11	Exhibit 3M Mortgage closing statement	122
14	Notary Public		12	Exhibit 3N Wire transfer advice from	
15			Capital One Bank	122	
16			13	Exhibit 4 Mortgage	47
17			14	Exhibit 4A Signature page	47
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1 2 CERTIFICATION 3 4 I, Shirley Nottes-Werner, a Notary 5 Public for and within the State of New 6 York, do hereby certify: 7 That the witness whose testimony as 8 herein set forth, was duly affirmed by me; 9 and that the within transcript is a true 10 record of the testimony given by said 11 witness. 12 I further certify that I am not 13 related to any of the parties to this 14 action by blood or marriage, and that I am 15 in no way interested in the outcome of 16 this matter. 17 IN WITNESS WHEREOF, I have hereunto 18 set my hand this 13th day of July, 2018. 19 20 21 22 23 24 25			Page 171
<i>Shirley Nottes-Werner</i> SHIRLEY NOTTES-WERNER			

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New York Code
Civil Practice Law and Rules
Article 31 Disclosure, Section 3116

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